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BRITISH INFLUENCE IN INDIA

AN ESSAY

ON THE INFLUENCE WHICH
BRITISH GOVERNMENT
HAS EXERCISED ON THE MATERIAL
PROSPERITY OF THAT COUNTRY

BY

FRANCIS COTTERELL HODGSON, B.A.

FELLOW OF KING'S COLLEGE, CAMBRIDGE,
AND TRINITY UNIVERSITY SCHOLAR.

"*Regis bellaque . . . semper fere, donec in nostrum jus conederetur.
Nos . . . jure victorie id solum vobis addidimus, quo (quod?) pacem tueremur.*"—*TAC. HIST. IV. 74.*

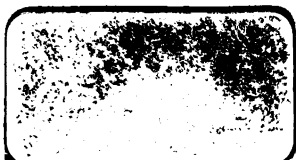
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~~200. K. 104.~~

226. b. 131.



THIS ESSAY OBTAINED THE LE BAS PRIZE IN THE
UNIVERSITY OF CAMBRIDGE IN THE YEAR 1862.

A LARGE number of Members of the Civil Service of India who were students at the East India College at Haileybury, at various intervals during the thirty years that the Rev. C. W. LE BAS, M.A. formerly Fellow of Trinity College, was connected with that Institution, desirous of testifying their regard for Mr LE BAS, and of perpetuating the memory of his services, raised a Fund which they offered to the University of Cambridge for founding an annual Prize, to be called in honour of Mr LE BAS, The *Le Bas Prize*, for the best English Essay on a subject of General Literature, such subject to be occasionally chosen with reference to the history, institutions, and probable destinies and prospects of the Anglo-Indian Empire.

The Prize is subject to the following Regulations, confirmed by Grace of the Senate, Nov. 22, 1848.

1. That the LE BAS PRIZE shall consist of the annual interest of the above-mentioned Fund, the Essay being published at the expense of the successful Candidate.

2. That the Candidates for the Prize shall be, at the time when the subject is given out, Bachelors of

Arts under the standing of M.A.; or Students in Civil Law or Medicine of not less than four or more than seven years' standing, not being graduates in either faculty, but having kept the Exercises necessary for the degree of Bachelor of Law or Medicine.

The subject for the Essay proposed by the Vice-Chancellor for the year 1862 was

“The Influence which British Government in India has exercised on the material prosperity of that country.”

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BRITISH INFLUENCE IN INDIA.

CHAPTER I.

INTRODUCTORY.

Quis novus hic nostris successit sedibus hospes?

• • • • •

Dis equidem auspicibus, reor.....

Hunc cursum Iliacas vento tenuisse carinas.

VIRG. *Æn.* IV.

PERHAPS no Government has ever been carried on with such good intentions towards the governed, as that of the East India Company. Mr Mill, by no means a friendly witness, bears the fullest testimony in their favour. "I can hardly," he says, "point out an instance in which the schemes they have adopted, and even the particular measures they pursued, were not by themselves considered as conducive to the welfare of the people whom they governed....I know of no Government which has on all occasions shown so much of a disposition to make sacrifices of its own interests to the interests of the people whom it governed¹." There was need, indeed, not only of the best intentions, but of the greatest vigour and perseverance in putting them in practice: for hardly ever has so gigantic a task been imposed upon the most experienced statesman, as was then imposed upon a company of merchants sud-

Peculiar difficulties of the early period of the E.I.C.'s Government.

¹ Vol. III. p. 373.

denly called to the administration of high affairs of state. Besides the inherent difficulty of governing a half-civilized empire on principles that would satisfy the conscience of a nation that already had reached an advanced stage of civilization, they were continually subject to several incidental perplexities. They were bound to consult not only the interests of the millions of their subjects who swarmed in the bazaars of Calcutta or Benares, but also the interests of the proprietors of East India Stock, who could exercise great power in Leadenhall Street; interests that, to any one who did not look far into the future, appeared generally to clash. They started as rulers of an Empire, when they had already been far from successful as managers of a Commercial Company. They were clogged from the beginning by financial deficiency. They were driven by the lack of money to maintain a constant attitude of encroachment towards native potentates, which, in its turn, necessitated a ruinous military expenditure, and still worse derangement of the finances. They were forced, by the same lack of money, to adopt generally the corrupt native agency in the collection of the revenue and the administration of justice, which they inherited from the declining Empire of Delhi. And lastly they carried down from their days of commercial monopoly to their days of empire that jealousy of interlopers, which deprived them of the assistance they might, certainly of late years, have received from independent European settlers in their dominions, and which was not till last year so far overcome as to enable Lord Canning to remove the restriction on the sale of the fee simple of land which has always acted to the exclusion of English capital from the agriculture of India.

Nothing could at first sight appear less likely than that a colony of merchants from a country 15,000 miles off

should gradually spread themselves over the whole land and become the paramount power, which should receive the homage of Rajahs and Nawabs, of the successors of Sevajee and Runjeet Singh, and of which the great Emperor of Delhi himself should not disdain to become the pensioner. If the vision of an empire of adventurers in the far East ever floated in the brain of Drake and Cavendish, when they bearded the Portuguese in the Spice Islands and at the Cape, it had passed away long since with the golden age of English maritime adventure, and given place to the more pressing cares of a commercial intercourse in which large profits were counterbalanced by the constantly increasing expense of defending scattered settlements, and endangered at one time by the exactions of James I. and Buckingham, at another by the rise of a rival company. They had, it is true, owing to the great prosperity of their trade in the time of Charles II., which enabled them to distribute large bribes among some of the ministers, survived the violent hostility with which their monopoly was regarded in the first years of William III.'s reign: they had themselves bought up a large portion of the shares of the rival company, that started with all the advantage of Whig patronage in the first enthusiasm of the Revolution. After seventeen years of contention the two companies were at length by the good offices of Godolphin firmly united in 1708. From that time, except during the alarm caused by the Emperor Charles VI.'s projected Ostend Company in 1720, the East India Company had no serious apprehensions for the safety of its trade. But several events, significant enough to those who look upon them in the light of subsequent history, had been constantly increasing the expenses of the Company, and tending to diminish the importance of the commercial enterprise. In 1653 the Mogul had granted them

*Decrease of
their commer-
cial and growth
of their political
character.*

an exemption from customs on the Bengal coast : ten years before they had established a factory at Madras. At the marriage of Charles II. with Catherine of Braganza, Bombay had been ceded by Portugal to the English crown, and after a few years handed over to the government of the Company. About the same time the right of declaring war in India, except against Christian powers, was granted to them, and in 1686 a war was actually carried on with Aurengzebe, then Emperor of Delhi, and a peace made on conditions not very honourable to the merchants. Twenty years afterwards a Court of Justice was first established at Bombay, in which summary justice was done in a rude and primitive way in all cases civil, criminal, and military. But their trade did not expand equally with their affairs of state. Mr Mill says that under the Joint Stock system the wish to have patronage induced the directors to increase the establishments at the factories rather than to take measures to develop the trade. The price of stock which between 1664 and 1681 had risen from 70 to 300, soon sunk to a level of 120, and never recovered the former extravagant height. Their method of trading was to set apart a certain portion of their stock, after paying the annual expenses, for the purchase of Indian commodities, which yielded an immense profit. This was called the Investment, and did not increase at all in proportion to the profits. While the trade of the Company itself thus languished, the trade between India and the neighbouring countries, and a great portion of the inland trade of Bengal, was allowed to fall into the hands of the servants of the Company, who eked out miserably insufficient incomes by the profits of private ventures. This, which must always have been in direct opposition to the interests of the Company, afterwards became, as will be seen, a source of great evil to the natives.

Rise of the Private Trade.

The predominance of the political character of the *Clive's career.* Company was determined by the ambition of an enemy, and the genius of a servant. Dupleix, the French commander at Pondicherry, first conceived the idea of adding large Indian dominions to an European kingdom. In 1746 he set the example of defeating by European courage and discipline a large native army of the Carnatic. Clive was at Madras to learn the lesson. His military genius first displayed itself in defending Arcot against the Nabob, aided by the French. Soon a larger field was opened for it. The small colony of traders on the Hooghley were prosperous enough to excite the cupidity of Surajah Dowlah, Nabob of Bengal, a man, conspicuous in wickedness even amongst Oriental despots. Clive was sent to avenge the massacre of the Black Hole, and against fearful odds won an empire at Plassy. At first the Company governed by setting up a new dynasty in the palace of Moorsshedabad. The gratitude of Meer Jaffier, the Nabob set up by Clive, gave wealth and influence to the Company and its servants. But when the nominal sovereignty was still in the hands of the ruler of Moorsshedabad, it was found that the servants had all the authority without the responsibilities of supreme power. Naturally enough they grievously misused it: they were wretchedly underpaid; their chief anxiety was to earn as quickly as they could enough money to send them back rich to England; they had ready means of making money in the private trade. They used the terror of the English name to extort from the revenue courts of Bengal exemption from all the duties levied on native traders, whom they thus succeeded in completely excluding from the market. Vansittart, the governor, and Warren Hastings, who was now becoming a prominent person in the council-room at Calcutta, did all they could to resist this. They agreed with the Nabob

*Abuse of their
power by ser-
vants of the Com-
pany engaged
in the Private
Trade.*

that 9 per cent. should be charged once for all on all goods, but when they proposed it to the council, they were out-voted. The Nabob then took the matter into his own hands, and abolished all duties in all cases. But this did not at all please the servants engaged in the private trade and their representatives in the council, and the state of affairs did not improve. The evil was not confined to the engrossment of the market. "Had they been allowed to go on," Adam Smith remarks, "it is impossible that they should not, at some time or another, have attempted to restrain the production of the articles of which they had usurped the monopoly not only to the quantity which they themselves could purchase, but to that which they could expect to sell with such a profit as they might think convenient²." The poppy-fields have before now been ploughed up in India to keep up the price of opium: the Dutch in the Moluccas for a similar reason actually cut down many spice trees. But in this case the directors were not wanting in their duty. Clive, who had never been a friend to the private trade of the servants, was now the guiding spirit among them. It was resolved that he should return to India to correct the evil. In 1765 he re-appeared in India. It appears from a letter he wrote from Madras, that he went out resolved to terminate the divided authority by making the Company in name as well as in reality supreme. He made strict laws against the private trade, and the custom of receiving presents from the natives. But he cut at the root of the matter, when he obtained for the Company a grant of the Dewannee, or collection of the revenue, with all the duties of civil jurisdiction attached, for the provinces of Bengal, Behar, and Orissa.

Checked by Clive,

who obtains for the Company a grant of the Dewannee of Bengal, Behar, and Orissa, 1765.

² *Wealth of Nations*, Book IV. c. 7.

This was the beginning of the English empire in India, which after a century of almost constant growth, has lately passed through the greatest trial it ever experienced, and passed through it unscathed. Its expansion seems now in all probability to have definitely ceased. The government of the original Subahdaree which appeared so vast a task even to Clive, that he declared "to go farther is a scheme so extravagantly ambitious and absurd, that no governor and council in their senses can adopt it",² has developed into an empire that extends over 130 of the 180 millions of inhabitants of the country, that has occupied the whole valley of the Ganges, and the whole valleys of the five rivers that unite into the Indus, that has reared its standard at Delhi and at Poonah, at Lahore and at Lucknow. This great power has brought with it perhaps the greatest national responsibility ever incurred. A civilized people, taking under their guidance a people far behind them in advancement, ought surely to do something more for their subjects, than could have been done without their intervention. We should look for great results in material development in education, in civilization. The first of these three great divisions is the subject of the present Essay. On the work of education and civilization, except so far as they act upon, and are reacted upon by, the work of material improvement, it will not be necessary to touch. The subject, thus limited, is extensive enough; it will naturally subdivide itself, if we consider the chief functions of government that bear upon material progress. First of all, any government, to be productive of even the least prosperity, must give reasonable security to life and property; in the next place, it must not, by the arrangements necessary for its existence,

*Expansion of
the Empire.*

*Results of British
supremacy
in material development of
country.*

² See the passage quoted in Mill, II. p. 240, 4th edition.

put any impediment in the way of the improvement of the country; lastly, it must, in a state of society in which the energies of the people are not sufficiently active to instruct themselves, take the lead in all works of public utility.

Classification of the duties of our government with a view to the promotion of such development.

This classification enables us to take separately the three great branches of (1) The administration of Justice, (2) The raising of the Revenue, (3) Public Works. A chapter will be devoted to the progress of India under British government in each of these departments.

Prospects of India at the time of the British intervention.

But to justify our intervention in India at all, it may naturally be thought some better excuse is needed than the force of circumstances. So untried an experiment as the taking in leading-strings of one nation by another ought not to be entered upon if there is any good chance of the nation being able to walk alone. The Western nations, Gaul, Spain and Britain, doubtless owe something to the period of tutelage under the government of Rome. It was not indeed till they had been inundated and fertilized by the flood of barbarian invasion that the germs of the national institutions, which have been the cause of their greatness, begin to appear. But whether they would have shewn themselves equally adapted to receive the seeds of civilization, had it not been for the settled peace they had enjoyed as Roman provinces, is very doubtful. Certain lessons must be learnt⁴ before civilization can advance far: first of all, men must be taught to submit to discipline: to yield their individual wills to the common interest: the greatest service that can be done to an uncivilized people is to make them soldiers. For this purpose in the Middle Ages the feudal system was an admirable instrument: in India the system adopted with the happiest result, by Sir Charles Napier in Scinde, by Outram among the

Tests of their state of civilization.

⁴ See a passage in Mr J. S. Mill's *Essay on Coleridge*, in Vol. I. of *Dissert. and Discuss.* quoted also in the last Book of his *Logic*.

Bheels. But this will take a people but a short way in the path of civilization. A people, who are all soldiers, may be split up, like the people of Oude immediately before the annexation, into a number of petty families waging internecine war with each other and the nominally supreme government. To check the licence of private war there must be some principle of loyalty to a prince or a law that shall be in all disputes unquestioned. It has been often remarked how important a part was played in the civilization of Europe by those kings who enlarged and strengthened the royal authority. Lastly, it is indispensably necessary that the different parts of a nation should feel their union in one nationality of sufficient importance to prevent a separation without the weightiest possible reason. Trying the people of India in their history previous to the British occupation by these three tests, we shall find they have always in a great measure stood the first test: at every period a great portion of the population have been soldiers: the second less constantly: under energetic princes, under Akbar and Shah-jehan, the country seems to have been peaceful and loyal: but the cohesion of their empire was never very firm, and in the time of Aurengzebe, the work of disintegration began to proceed rapidly. The vice that seems inherent in all Oriental empires, the very same that has weakened the once powerful Ottoman despotism till it has become a mere cipher in European politics, had shown itself unmistakably in the empire of Delhi, before the strangers, who were to supersede it, had begun their career of conquest. When Aurengzebe, tormented by remorse for his treatment of his father, and suspicion lest his sons should act the same part towards him, sank in the eighty-ninth year of his age into a miserable grave, he left his dominions in the Deckan disorganised and overrun by the Mahrattas,

Gradual disintegration of Mogul Empire;

of the Mahrattas;

of Oude.

and soon the other parts of his empire followed the example of quietly shaking off an authority his successors had not strength to vindicate. The Nabob of Bengal, the Nabob of the Carnatic, the Vizier, who ruled in Oude, were in fact independent princes, when we first had dealings with them, and none of them exercised very great power over their own vassals. The Mahrattas were as yet more united and more vigorous: but at the end of the 18th century, when Lord Wellesley's government came into collision with them, their empire had gone through the same process which that of Delhi had previously gone through: the descendant of Sevajee had been practically superseded by the Peishwa, the president of his council of ministers, and the princes of the outlying territories, especially those of the still powerful houses of Scindia and Holkar, were practically independent of the prince who reigned at Sattara, and his Mayor of the Palace who governed at Poonah. And the most extreme case of this tendency to disruption may be seen in the state of Oude before its annexation, when the central authority could collect no revenue from the great Zemindars, who fortified themselves each in his own fort surrounded by his armed retainers, and, protected by an impenetrable jungle, for the sake of which they desolated the neighbouring country, defied the government, oppressed the ryots, and fought with one another.

The future of India was thus exceedingly gloomy, when the British first took part in its politics. Since the death of Aurengzebe in 1707 no prince had been able to assert any marked superiority in the country. Whether a new tribe of conquerors was to break in upon the valley of the Indus from the regions of Tartary that had already sent forth so many hordes, or some able potentate (as Tippoo Saib in the next generation might have done) was

to usurp a supremacy over the other princes, and set up a central government to supersede the effete government of Delhi, in either case there was not much prospect of a great improvement. Why the people who spoke Sanskrit have not shown themselves capable of the same advance in refinement and energy as the kindred tribes who went westward from the cradle of the Aryan race to settle on the hills of Greece and in the forests of Germany, is a problem, the solution of which may perhaps be found in their long isolation from other civilized peoples. Several centuries before the time of Homer⁵, before King Solomon's ships brought back from the mouths of the Indus the almug-trees with which to make pillars for the house of the Lord, the people that dwelt in the lower valleys of the Himalayas had committed a pure religion to a sublime and philosophic literature. Five hundred years later the Code of Menu gives us an insight into the life of a peaceful and prosperous community. We find a religion still undefaced by the impure rites and impure Mythology of later times, learning encouraged with a view to the study of the Vedas, a great regard for immemorial custom, and generally a high moral tone in the legislation⁶. We find great care taken of women: there is mention of gold, gems, silks, and ornaments in every family; elephants, horses, and chariots seem to be in frequent use: gardens and orchards we meet with everywhere, and signs of a high and varied cultivation of the land, with frequent allusions, however, to times of scarcity, and a significant

Early Hindu civilization.

The Vedas.

Code of Menu.

⁵ Mountstuart Elphinstone assigns the Vedas to 14th cent. B.C. *Hist. of India*, p. 225 sqq. The argument from the Sanskrit word for almug-trees in 1 Kings x. 11 is drawn out in Max Müller's *Lectures on Science of Language*.

⁶ See Elphinstone, Book I. for Menu's Code. Traces are found of commerce by sea in a fixed rate of bottomry.

*Testimony of
Greeks.*

*Moslem inva-
sions.*

injunction to rich men to make ponds: there is little mention of cities, and the village system, with its patriarchal institutions, appears to have had a greater reality than in more recent times. But this appears to have been the golden age of the Hindus. It is not indeed easy to say through what changes the society may have passed during almost two thousand years, in which, except a little light thrown upon them by some of the Greeks, whose attention was directed to India by the expedition of Alexander, and who in many cases seem to have feigned to themselves Brahmins, as Voltaire feigned Chinese, and there has been lately a tendency to feign Japanese, as models of the virtues lacking at home, the Hindus remain in almost total obscurity to us. About the 1000th year of the Christian era the first Moslem invader overran Hindustan. In the decay of the empire of the Khalifs, Sebektegin, the slave of a slave, had laid the foundations of a powerful dynasty at Ghazni, to the south of the Hindoo Koosh range, on a tributary of the river of Cabul, which finds its way through an opening in the Solyman Hills into the Indus. His son, the great Sultan Mahmúd, the richest monarch that ever lived, twelve times invaded India, subdued the Rajahs of Lahore, who governed the Punjab, conquered Canouj⁷ on the Ganges and Somnat at the southern extremity of Guzerat, and twice penetrated into Cashmere. The Afghan dynasty of Ghor drove the house of Ghazni from the Punjab, and in twenty years had conquered the whole of Hindustan⁸, except Malwa and some contiguous districts and Guzerat, which remained half independent. Several Moslem houses followed, who made inroads into

⁷ Canouj was between Futtehghur and Cawnpore. For Mahmud, see Elphinstone, Book v. c. 3.

⁸ : 1. Hindustan Proper, the country North of Vindya mountains. For Elphinstone, Book v. c. 4.

the Deckan, and managed to hold their own without much loss through the terrible periods of Tartar conquest under Zingis⁹ Khan and Tamerlane. The most powerful of these was the family of Toghlak, who extended the limits of Mohammedan empire in India wider than any of his successors, except Aurengzebe. Firuz Toghlak was a good and merciful prince, who made canals, and prohibited torture and mutilation in legal penalties. At length in 1525 Baber, the founder of what is commonly but incorrectly called the Mogul dynasty, conquered Delhi, and laid the foundation of the great Mussulman power that overspread the whole peninsula. Almost all of these successive conquerors were men very different from the ordinary type of Eastern despots: they came mostly from the most civilized part of Persia, the plains between the Oxus and the Jaxartes, in which was Bokhara a great seat of learning, where the great Ebn Sina, known to the Western world as Avicenna, died in 1036, and Samarkand, where in Abulfeda's time the streets were paved, and water conveyed into the city in wooden pipes. Mahmud of Ghazni was a patron of Ferdosi, the great Persian poet. Baber, like his ancestor Timur, has left us memoirs written by his own hand. Nor was their conquest of the country violent: Mr Mill compares it favourably¹⁰ with the conquest by the Western barbarians of the Roman provinces; the ownership of land remained, to a great extent, unchanged: religious persecution was only transitory. The better princes abstained from levying the capitation tax, usually imposed by Moslem conquerors upon infidels. Moreover the Turks,

*Good character
of the Moslem
Conquerors.*

⁹ Properly Chengiz. I have adopted Gibbon's spelling, as most familiar. Tamerlane is properly Timúr. Timur took Delhi in 1397, but with this exception neither he nor Chengiz Khan much annoyed India.

¹⁰ *Hist. Ind.* l. p. 438, 4to.

*Imperfect union
of the Hindus
and Moslems.*

*Rigid despotism
of the Moguls.*

as Mr Elphinstone remarks¹¹, "have universally melted into the type of the nations among whom they settled." When they invaded India they had become Persianized; Persians conducted all the civil administration of Sultan Mahmúd, and the Persian language long maintained its ground as the universal language of business. But the union of Mohammedans and Hindus has never been entirely effected: Akbar, the wisest of the Mogul princes, laboured to unite his subjects into one great nation, and in the pursuit of this noble object did not scruple even to make some sacrifices of his duty as a good Moslem. He married two Rajpút princesses. But the bigotry of less unprejudiced princes constantly re-awoke the jealousy of the Hindus, with whom any infringement of ancient custom is a grave offence; and the Mahrattas are said to have owed the rapidity of their progress against Aurengzebe to the ill-feeling which his bigotry had excited amongst the Hindus of the Deckan. This want of union may partly account for the little progress made, but no doubt a far more potent cause was the rigid despotism that made everything depend on the personal character of the despots. Had all the princes who reigned at Delhi combined the energy of Baber with the philosophical mind of Akbar and the virtues of Shah Jehan, India might have attained to a great degree of material prosperity, and even of intellectual eminence under their rule: but the vigour and boldness of thought, the self-reliance and the self-sacrifice, that are indispensable to make a nation really great, can be given by no despot. Mohammedan empires have never yet had their trial unhindered by the enervating influences of despotism, but it is quite possible that the great and austere qualities essential to a high and advancing state of

¹¹ *Hist. Ind.* p. 299.

civilization must needs droop and wither under the influence of the Koran and the Zenana.

While the empire of the Mohammedans remained powerful, it at any rate gave security: and some prosperity will always attend an industrious people if only they enjoy peace. From European travellers we have accounts dating from as early as the 15th century. Nicolo di Conti in 1420 speaks highly of the cultivation of Guzerat and the banks of the Ganges: Barbosa about 1500 compares Camba with Flanders; Bijazanagar is said to be like Milan about the same time. Later on, Sir Thomas Roe, who was sent by James I. on an embassy to the great Mogul Jehangir, speaks of a generally peaceful and flourishing country, though in places the evils of a farmed government and rapacious governors had produced distress: in this way he found much of the Deckan devastated. In the next reign, Tavernier, the French jeweller, speaks of the grandeur of the cities, the productiveness of the country, the magnificence of the court, where the good Shah Jehan had just built the new city of Delhi, with its palace and its mosque, and the famous peacock throne, worth £6,500,000. Yet with all this magnificence, he tells us, the taxation was not made heavier, except where the beneficent government of the Emperor was frustrated by the exactions of remote collectors, who carried on the bad practices of the last reign. This peaceful state of things must have been terribly shaken before Aurengzebe's death by the incursions of the Mahrattas, a cunning and faithless people, who exacted from the districts they overran what was called the "chout," a tax of one-fourth of the produce as an exemption from plunder. But we have no reason to suppose that it did not continue unimpaired in districts out of the reach of their forays, if blessed with a moderately wise and merciful government, as we find in

*Accounts of
European tra-
vellers in 16th,
16th, and 17th
centuries.*

*Incursions of
Mahrattas.*

Hastings' time, an equal prosperity described in Rohilcund, and in the dominions of Cheyte Singh of Benares.

Two changes of form in our Government of India in 1784 and 1858.

Thus the old standing civilization of the Hindus, although aided by the most enlightened and well-disposed of Turkish dynasties, only left the country in the 18th century in a state of growing disorganization, tending towards utter ruin. In this state we took up the government. In the hundred years we have held it, the form of our government has experienced two great changes, and the spirit at least one. The two changes in the form were effected severally by Mr Pitt's East India Bill of 1784, which established a government control over the directors, and by Lord Palmerston's East India Bill of 1858, which ended the political existence of the Company. The change

Change in spirit due to Burke and Lord Cornwallis.

in spirit nearly coincides with the first of these changes in form, but is owing not so much to Mr Pitt's Bill as to the influence of two statesmen, Burke and Lord Cornwallis. Of Lord Cornwallis' influence as Governor General we shall have more to say, in treating of his revenue, and judicial systems. Burke was for years the eloquent and conscientious champion of the whole people of India, in whose defence he was only too ready to break a lance with all oppressors. It was by him chiefly that public opinion was brought to bear upon the directors in favour of the natives whom they governed, instead of the limited public opinion they had been subject to in favour of the proprietors of East India Stock. They were forced to drop the trader and assume the statesman. Since his time the idea that we are justified in occupying India, only if we work for the highest good of the Indians, has never permanently been lost sight of. And it has been found out by a slow process of discovery and after many errors, that the dictates of conscience in this case agree with the dictates of enlightened self-interest, that in a country in

which the revenue comes chiefly from the land-tax, whatever increases production increases the income of the government; in the words of one of the earliest men who clearly understood our position in India, that "as sovereigns, the interest of the East India Company is exactly the same with that of the country they govern¹."

¹ Adam Smith, *Wealth of Nations*, Book IV. c. 7, written in 1777.

CHAPTER II.

THE REVENUE.

“Neque quies gentium sine armis, neque arma sine stipendiis, neque stipendia sine tributis haberi queunt.” *TAC. Hist.* IV. 74.

*Close connexion
between admin-
istration of
justice and col-
lection of re-
venue.*

IF the administration of justice is the noblest function of a government, and as such claims the first place in an enquiry into the mode in which its duties have been fulfilled, the collection of the revenue is the most indispensable to the existence of any government at all. And in India, where the system of collecting the revenue has been always the foundation of the judicial system, a consideration of the former properly takes precedence of the latter.

*Interest of the
people in the
solvency of go-
vernments.*

It is needless to enlarge on the importance to the welfare of the population of a proper system of administering the revenue: in no way has the government so much power to hinder prosperity or inflict misery on its subjects as by the agency of the tax-gatherer. It is not only that the extravagance of a government often overloads the people with unnecessary taxation; a far more usual effect of bad government is that but a small proportion of the supplies wrung from the tax-payers ever reaches the central authority. Sully tells us that out of 150 millions taken from the people of France of his time, only 30 millions came into the Treasury; the rest was absorbed

by the cumbrous and corrupt machinery employed in the collection. And the mischief of this is twofold; the people are ground, while the government is defrauded; and the real interest of the people is most closely connected with the solvency of the government. It is necessary to include in a review of the revenue system not only its mode of collection, but its success. The embarrassment of the revenue, so long the curse of British government in India, may almost be said to have caused all the worst deeds we have been guilty of during our occupation.

The main source of Indian revenue has in all ages *Land-tax.* been the assall or land-tax. By Hindu custom several other taxes and duties were levied, as a cess of one-sixth on clear produce of honey, meat, butter, leathers and others articles, another of one-fiftieth on cattle, money, and precious stones added to the stock, a tax on sales, dues on transport, a poll-tax in money or labour. The tendency of British legislation has been, till quite lately, to dispense with all but the land-tax, and the two monopolies of salt and opium; and this tendency has doubtless been a right one, as all those mentioned above are conspicuously bad, either checking production, hindering commerce, or harassing the people. Latterly there have been signs of a change: it has been urged with much truth that very much of the wealth of India is not reached by the land-tax, the two great monopolies, or the unimportant sums levied on imports and exports; and the income-tax imposed under the auspices of Mr Wilson and Mr Laing, though we are not allowed to consider it as a permanent part of our revenue for the future, bore an important and indispensable part in the restoration of a good financial position which marked the government of Lord Canning. But still it is not likely that the land-tax will ever cease to hold the chief place in the resources of the Indian treasury,

except by the extended operation of Lord Canning's late¹ measure for the sale of the fee simple of waste lands and redemption of the land-tax. This ought of course to lighten the taxation of future times by being used to pay off gradually the debt with which the revenue is now burdened, and the surplus, if any, applied to remunerative works or made productive in some other way.

*Antiquity of the
present modes of
collection.*

The machinery for the collection of the land-tax has the sanction of the highest antiquity. The system that now prevails in many parts of the North-west Provinces is the same with but few changes that existed in the time of Menu. The townships or village communities have been well said to be the elements of permanence in India. They may probably have had their origin at the first settlement of the country, when the father of a family would have sallied forth with his children and dependents to reclaim the jungle from savages and wild beasts. The right of property in the land, which the communities possessed subject to the tax or rent paid to the king, seems to have resided sometimes in the whole community collectively, sometimes in individual proprietors of divisions of the land. If the members of the community were few, and their land ample, they would cultivate

Village system.

¹ It is hardly necessary to say that, since this was written, Lord Canning's measure has been stopped by the veto of Sir Charles Wood. The opinions of those versed in Indian affairs seemed to be very much at variance as to the expediency of the measure. Nothing but the certainty, or at least very high probability, that it would be followed by a great development of the resources of India owing to a large influx of European capital, could justify so great a sacrifice of prospective revenue as it entailed. But it is highly probable that the present interest felt in the cotton-growing capacities of India will very soon cause a re-opening of the question. If ownership in the land is necessary to European settlement, and European settlement is necessary to the development of the cotton trade of India, there can be little doubt that such ownership will ere long be conceded.

by means of tenants what they could not cultivate themselves. "The king," says Mr Elphinstone¹, "instead of transferring this property to the intended cultivators for a price paid once for all, or for a fixed annual rent or quit-rent (as is usual in other countries) reserved a certain proportion of the produce, which increased or diminished according to the nature of the cultivation. The rest of the produce belonged to the community of settlers; but if they found they had more good land than they could themselves till, they would endeavour to make a profit of it through the labour of others. No method seemed easier than to assign it to a person who should engage to pay the government's proportion, with an additional share to the community; but while land was plenty, and many villages in progress, no man would undertake to clear a spot unless he was to enjoy it for ever; and hence permanent tenants would arise. Temporary tenants and labourers would follow as society advanced²."

This seems to have been in fact a kind of *métayer* tenure, to which the government and the community were the partners. The community was represented by a head-man who, in Menu's time, was appointed by the king; but the office is now hereditary. After him the most important officer is the accountant, who keeps a register of the extent and value of all the lands in cultivation. As the amount due to the state is not regularly fixed, and has advanced from one-sixth, the amount acknowledged in Menu's code, to one-half, which is not thought an immoderate assessment now, it is natural that the village system should in many places have decayed under the tyranny or the fraud of distressed rulers. The only refuge

¹ *Hist. Ind.* p. 70.

² For a very similar state of things in early times at Rome see Mommesen's *History of Rome*, Book I. c. 13.

System of farming introduced by Mohammedans.

was in opposing fraud to fraud ; and this was not difficult, as the register of lands was in the possession of the village accountant, who by a little ingenuity could falsify it. But the Mohammedan government introduced a new element into the system. Like the Romans in their conquered provinces, they at once established a system of farming. Great military chieftains would farm the revenues of whole provinces, under them lesser officers would farm *pergunnahs*, and very often the last link of a chain of farmers was the village headman, who was thus changed from the natural protector to the interested oppressor of his fellow-townsmen. They found sanction for this system in ancient Hindu custom. It had been always in the power of the king to alienate his rights, subject to the rights of communities. In newly conquered territories, or where the whole order of society was military, as for instance with the Mahrattas, it was customary for the king to grant the royal rights on certain lands to military leaders, and sometimes to chiefs of conquered tribes, on condition of keeping up for the service of the state a fixed number of soldiers. In more settled times a grant was sometimes made on condition of discharging civil functions. These lands were called *Jagirs* ; a *Jagir* was granted to the Company at Madras, and another to Clive in the neighbourhood of Calcutta. The great leaders or functionaries received the king's rent, which was almost always paid in kind, and, as almost always happens in India, transmitted their rights to their heirs. The resemblance of this to the feudal system cannot fail to strike us : among the Rajputs it is most remarkable, where the *jagirs* are subdivided by the chiefs among vassals owing military service to them : but it seems nowhere to have become the universal system of the country, and it was founded, as Mr Elphinstone observes¹,

¹ p. 77.

on the principle of family partition, and not on that of securing the services of great military leaders. In accordance with this principle each chief was bound to provide an appanage for the younger member of his father's family.

This seems the most intelligible account that can be given of the origin of the great Zemindars. The word is *Zemindars*. Persian, and must have been introduced by the Persianized Musulman conquerors. By them it was certainly applied to the farmers of the revenue, who had soldiers under them to enforce payment, who administered justice in their districts, and managed all matters of police. In unquiet times there would be a constant tendency for the Zemindaree system to supersede the village system: and in the unquiet times that saw the arrival of the British in Bengal it seems in fact to have been the system generally prevailing.

It has been shown in the first chapter how the difficulties connected with the private trade of the Company's servants induced Clive, on his return to India in 1765, to obtain for the Company the Subahdaree of the three provinces of Bengal, Behar and Orissa. On the 12th of August in the same year a firman of the Mogul emperor granted the Dewannee, or office of collecting the royal revenue in those provinces, to the English. They were to pay over to the Nabob of Moorshedabad fifty lacs (£500,000) yearly, besides 26 lacs to the supreme government at Delhi. This was simply a transfer of the office of chief collector from the Nabob to the Company: all the subordinate machinery seems to have been left entirely untouched. The native revenue minister (Naib Dewan) Mohammed Reza Khan still presided over the collectors, and decided causes that arose in the collection at Moorshedabad. Only he was now responsible to the

The native machinery for collection is adopted by Clive in 1765.

Company's servant, who presided at Calcutta, who in turn was bound to pay the stipulated sums to the native princes. It was probably expected that this would be a source of great wealth by which the empty coffers of the India House might be replenished. It required much disappointment to dispel the illusion universally entertained of the wealth of India. It was natural indeed that to ordinary minds the riches of the country should be measured by the splendour of the court of Delhi, the jewelled weapons of the Indian nobles, or the great peacock throne of Shah Jehan. Adam Smith argued¹ with more apparent reason that the country was richer in proportion to its extent than Great Britain from the fact that the superfluous fertility of the soil yielded two crops or more in the year. What he omitted to notice was the large quantity of fertile soil left uncultivated in India. India, which is more thickly populated than Europe taken altogether, is considerably less thickly populated² than the rest of Europe, when the three Northern kingdoms of Russia, Sweden and Norway are put out of the question. The energy of the people of India, we may safely say, is far less than the average energy of the inhabitants of France, Germany, Italy and Spain. It need not therefore surprise us that, according to Mr Mill, one half of the richest soil of India had never been in cultivation. Thus the estate which the East India Company had just rented from the native princes was one, it is true, of splendid capabilities, but sorely needing care and patience for the improvement of it. The mode of collecting the revenue in kind was exceedingly wasteful: not only much was absolutely spoilt in collection, but still more was spent on the host of tax-gatherers rendered necessary for the valuation of the crops

¹ *Wealth of Nations*, Book I. c. 11. See also a passage in Book v. c. 3.

² See Elphinstone, p. 3, note 2.

and the collection of the government's share; the amount must have been liable to great fluctuations, which opened a door for oppression and embezzlement on the part of the collectors, and for fraud and mendacity on the part of the peasants. The revenue was in the year 1772, when it had probably increased a little, only £2,500,000, from which, after it had defrayed the expenses of its own collection, the payments to the Nabob and the Mogul had to be made, and a surplus left to provide for those servants of the Company, whose duties were clearly political, and who could not depend for their salaries on the questionable results of commercial speculations with which they had no concern. Clive had endeavoured to make a provision for the servants by establishing a Private Trade Association, which was to have the monopolies of salt and beetelnut, and in which the officers, according to their rank, were to have a regulated number of shares. But this had been almost at once suppressed by the directors, and the servants, deprived of the right to trade on their own account or receive presents from native rulers, had a perfectly just claim on the revenue for a liberal provision. It was not to be expected that the government should under these circumstances enjoy prosperity.

There was doubtless great embezzlement in the collection. At this the English authorities aimed their first blow. English supervisors were appointed in 1769. They were not only to check the native collectors, but to gather and report information regarding the form of the ancient constitution of the province as compared with the present; its possessors and rulers, the revolutions of their families, the state produce and capacity of the lands, all cesses or demands made on the ryots by the government, the Zemindars or the collectors, with the manner of collecting, and a history of the rise of every new impost. "It will

English supervisors appointed 1769.

require the greatest care," so their instructions ran, "to enable you to form a general and particular rent-roll of the districts: you may perhaps find what is called one in the Suddur or principal cutcherry, but this, instead of satisfying, must stimulate your curiosity; for the contents of it are merely adapted to the private interests of the Zemindars In fact they can supply you with little more than a progressive history of the present dismemberments, and only suggest to you the degree of oppression which the multiplication of collectors and changes has on that account brought from time to time on the ryots¹". It is but due to the directors to remark that they never thought of increasing the assessment. Their next attempt to remedy the finances was to limit the commercial investment to 45 lacs per annum; but this could not have any perceptible effect. The deficiency increased, and a debt was contracted by the authorities at Calcutta drawing bills on the Company for the amount of the remittances sent home by the servants. In 1770 every distress was aggravated by a terrible famine. It was found that the system of supervision had failed. At first they tried to strengthen it by adding two councils of supervision; but this could not secure freedom from exactions to the ryots. Nor did it do much to relieve the financial disorder. In 1771, to get rid of the evils of native control, the directors resolve to "stand forth as Dêwan." The carrying out of this resolution is put in the vigorous hands of Warren Hastings. No difficulty was found in at once deposing Mohammed Reza Khan, the native revenue minister, and transferring the seat of government from Moorshedabad to Calcutta. The supervisors are changed into chief collectors of districts, who have each a native collector to aid them. So

*Deficiency and
Public Debt.*

*Reforms of 1771.
Native revenue
minister deposed,
English chief
collectors ap-
pointed through
the districts.*

¹ Quoted in Kaye's *History of Administration of East India Company*, p. 165.

far it was no doubt an improvement to replace the corrupt native officials, who had squeezed the middlemen, by responsible servants of the Company. But in the middlemen, or small Zemindars themselves, no change could be made. Hastings adopted the plan of farming the revenue on leases of five years: the old Zemindars, if they offered fair terms, were allowed to retain their places: if not, the leases were put up to auction. But here the effects of the late famine showed themselves in an unexpected manner. The Zemindars, who bid for the five years' leases, did not calculate on the impoverishment of the country by the scarcity, and bid higher than they could safely pay. The consequence was that they were near being ruined themselves, and, of course, pressed all the more heavily on the ryots. These became more impoverished than ever, while the government was far more expensive than in the days when native agency was solely employed. To relieve the immediate financial distress the directors apply to the home government for a loan, which is granted them, but not without their management being brought under the scrutiny of parliament, and Clive, who was then a member, being called on to justify his conduct. The next year the Act, commonly called the Regulating Act, was passed by the English parliament. This secured a sufficient local government for India with ample salaries to the Governor-General, Council, and Judges of the Supreme Court: but the parliament wisely forbore from dealing with the thorny subject of revenue, of which probably hardly half-a-dozen members were not wholly ignorant. The only direct effect of the Regulating Act upon local questions was that it sent out the bitterest partizan of the day to thwart Hastings in the council-room of Calcutta. No change was made in the system Hastings had established in 1771 till the five years' leases expired in 1776. It was then found

*Revenue farmed
on leases of five
years.*

*Regulating Act,
1772.*

Hastings proposes a Commission for a new valuation of the lands.

to be a hopeless failure. It is probable that from the first the rates of assessment were too high. Accordingly Hastings, who had lately found a means of making money by ravaging for hire the still prosperous territory of the Rohillas and defrauding the Mogul of his stipulated pension, saw clearly, and in this case rightly, that the Zemindars must have more favourable terms offered them. Francis outbid him by proposing to grant the lands in perpetuity to the Zemindars at a fixed land-tax, and devised terms of leases by which the oppression of the ryots might be restrained. The latter part of Francis' suggestion Hastings adopted, and endeavoured to combine with it a general measure for a new valuation of the lands, for which he proposed to appoint a commission. This new valuation was the only thing that could satisfactorily settle the question of revenue: a similar measure had been carried out in the plenitude of Mohammedan power by the just and benevolent Akbar, and nothing was required but a careful inspection of the village registers. But it would have been expensive, and the commissioners were to be appointed by Hastings, which was sufficient to rouse the opposition of Francis and the majority of the Council, while it would have been an effectual check on the embezzlement and extortion of the Zemindars, and so naturally roused their opposition. But in 1777, when the death of one of Hastings' opponents had given him a majority in Council, a commission was actually appointed, consisting of three experienced revenue officers, to survey the lands. Till they should have completed their survey annual leases are put up to auction, while security is obtained for the government dues, by reserving the right of selling the Zemindarees of defaulters.

Meantime annual leases granted to Zemindars till the end of Hastings' administration.

From 1780 till 1785 Hastings had absolute power in Bengal. Francis had returned to England, and contri-

buted accurate knowledge of India and the bitterest malice to the numerous enemies of the Governor-General in the House of Commons. But though absolute, the Governor-General could not effect any permanent settlement of the land-tax. A board of revenue, appointed at Calcutta in 1781 to consider the question, report in favour of dealing only with Zemindars. Both Mr Fox's and Mr Pitt's East India Bills advise a permanent arrangement with the Zemindars. The increase of revenue, that Hastings could find no means of deriving from the regular taxation, he obtained, at the cost of blackening the English character, by the extortion of money from Cheyte Singh and the Begums of Oude. In 1785 he resigned, having preserved the early period of British government from many dangers, but leaving behind him no settled plan of carrying on the government with security to the governed from oppression, and to the governors from bankruptcy. He had indeed, in the fourteen years of his government, more than doubled the revenue: but the debt had increased from fourteen to twenty-seven millions, while the expenditure of his last year was nearly three times as great as that of his first. And the increase of the revenue was only owing to the accession of territory, and the tribute exacted from native potentates; for the net revenue of Bengal, Behar, and Orissa, had actually diminished by a few thousand pounds, and was no longer equal to the ordinary expenditure.

In 1786 Lord Cornwallis went out as Governor-General. Between him and Hastings there was the same difference as between the accomplished general who can direct a complicated campaign and a dashing guerilla officer. To Lord Cornwallis England and Ireland owe, more perhaps than to any one else, more than even to Mr Pitt, what we may now call the auspicious Union of 1800. Lord Corn-

*Lord Cornwallis
is made Governor
General,
1786.*

wallis is acknowledged by an able writer on Indian affairs¹, to have been the first Indian ruler who was properly an administrator. He went out to Calcutta in the same ship with Mr Shore, afterwards Lord Teignmouth, the most experienced revenue officer in the Indian service. After arriving in India he waited till 1789 before he produced his new system of revenue settlement for Bengal.

Question of ownership of land.

The difficult question of ownership in the land of India had not yet been raised by any of the English rulers. Theoretically, it seems most probable that the king was looked upon as lawful owner of the whole country. His claims upon it were unrestricted and alienable. But the village landholders, very often themselves the cultivators, though they were allowed only the surplus after the king's share was paid, had a perpetual tenure, and could alienate their rights. But who was there to discharge the duties of ownership, to improve the system of cultivation, to increase the productiveness of the land? The government had long given up all personal supervision of the revenue: a cumbrous system of government officers in immediate relations with the cultivators would impose an unbearable burden on the already overladen exchequer: it was far more convenient to let the revenue on lease to the middlemen who were ready to farm it, and receive from them what was wanted, taking precautions, as far as they could, that the sums taken from the tax-payers did not far exceed the sums paid into the Treasury. And on this system they had no interest in improvement in the land. Nor had the ryots an interest in improvement powerful enough to overcome Oriental laziness, where they had no remedy against the excessive exactions to which they were always liable from the Zemindars. The Zemindars were, it followed, the only class, whose interest it undoubtedly was to improve

¹ Kaye, *ut supra*, p. 5.

the land. It was always their interest to get as much as they could from the ryots. On a short tenure, under a government which they could not trust, it was their interest to squeeze all they could out of the unhappy ryots, to make their harvest while they were let alone. But give him a perpetual tenure, it was argued, and the Zemindar's enlightened self-interest will teach him that oppression will not pay in the long run. A prosperous and contented peasantry will amply repay him for forbearing from exacting the last farthing, by improving the cultivation, bringing new lands under the plough, and raising the value of the share of the produce he takes from them. Here at length will be a proprietor, bound by self-interest to discharge the duties of ownership, who will have no more inducement to oppress his tenants than any of the landed aristocracy of Europe. It was true that there was much oppression in Europe, but it was not so universally the rule as it had been in India. It would be a great gain, if the crops of Bengal could be reaped without greater injustice than was felt by the peasants who served the most rapacious of the French nobility.

Such seem to have been the arguments used in favour of a perpetual Zemindaree settlement. The Zemindars, though not a highly deserving class, had obtained some sympathy from their sufferings under the settlement of 1771. They were a class, whose opposition it would be dangerous to provoke: they had the right of prescription since the beginning of English rule. The only alternative was to uproot them altogether as independent functionaries, and perhaps to be obliged to employ them, disappointed and embittered, to collect taxes for the Government, who had injured them, from the ryots, in whose favour they had been sacrificed. It seems to have been generally felt that this alternative was out of the question. And it is

certainly incumbent upon those who, like Mr Mill, sneer at Lord Cornwallis' aristocratic prejudices, to suggest some other way in which the Zemindars could have been disposed of, and some resources from which the increased expense of a direct collection from the ryots could have been met. There is no need for the justification of Lord Cornwallis' policy to deny that if the rights of the government had been ceded to the ryots instead of the Zemindars, improvement would not have been less promoted. But it surely was not necessary to demand of an embarrassed exchequer, like that of the Company in 1789, to abandon for a new and expensive machinery that which they had ready to their hands.

Lord Cornwallis makes a ten years' settlement with the Zemindars, to become permanent, as it did in 1793.

Lord Cornwallis' plan was briefly this. The revenue collection was let to the Zemindars for ten years, with an understanding that it should be made perpetual (as it was made in 1793), at a fixed rent to the government. The Zemindars were left to make their own terms with the ryots, but were bound to give them a pottah or written agreement, according to the terms of which their right of possession was secured. Lord Cornwallis wished to make a new assessment the basis of his new settlement, but the directors opposed it, alleging with truth that the assessment was already quite high enough, and ignoring, probably in perfectly good faith, the possibility of its being too high. Mr Kaye, with the light of subsequent experience to guide him, says that in fact the assessment was not excessive. But the immediate effect on the Zemindars was just the same as if the assessment had been far too high. At first it appeared as if the object for which Lord Cornwallis had consented to sacrifice all prospective advance in the government dues was farther than ever from being attained. The Zemindars, who originally took the leases, failed totally to constitute an aristocracy. It

This fails to constitute an enlightened aristocracy;

is said¹ that by 1802 they were almost all sold up. Their management was neither able nor economical, and they were fatally given to ruinous litigation. A great crop of traders and new men sprang up in the Zemindarees; and it seemed as though the means taken to establish in the country a landed aristocracy had operated to destroy what little already existed there. By 1799 things were so bad that it became necessary to take active steps to amend them. At first the estates of defaulting Zemindars were sold at once: in 1799 they were allowed a year of grace. At first they had no protection against the ryots, who would cut their crops by night and unobserved, or remove all their property out of the way of a distrainer, while to get redress for these wrongs a long wearisome process at law was necessary. In 1799 they were granted the benefit of a summary process against defaulting ryots, a benefit which was refused to the ryot against the Zemindar. Whatever unfair exactions these suffered, they had to seek a remedy in the ordinary course of law from courts choked up by endless arrears of business. This caused, and indeed still causes, a certain amount of oppression. Sir Henry Strachey dwells often on the misery of the ryots with whom he was brought in contact. They are often still heavily in debt to the middlemen: the bonds they are obliged to make are very little security to them against having all they can pay exacted from them. Like the peasants in too many other countries, they have only just enough left them to live upon, and for a Bengali that is very little indeed.

This is no doubt a result with which we are bound not to be content: but the formation of a model state of relations between landlord and tenant was more than Lord Cornwallis professed to aim at. As far as regards the

¹ Mill, III. p. 294, 4to.

but considerably increases the wealth of the country.

increase of the wealth of the country the results are not doubtful. Lord Cornwallis, writing in 1789, thus describes the state of India: "I am sorry to be obliged to say that agriculture and internal commerce have, for many years, been gradually declining; and that, at present, except the classes who reside almost entirely in great towns, the inhabitants of these provinces are advancing hastily to a general state of poverty and wretchedness. In this description I must even include almost every Zemindar in the Company's territories, which, though it may partly have been occasioned by their own indolence and extravagance, I am afraid must be also, in a great measure, attributed to the defect of our former system of management¹." In 1801 Malcolm, travelling through Bengal, writes to Barlow, who had been instrumental in carrying out Lord Cornwallis' plans, "what adds to my pleasure in contemplating these scenes is to hear every man I ask tell how jungles have been cleared and waste lands brought under cultivation...Before I travelled through these provinces I was not perfectly reconciled to your system. I have now observed its effects..."² In the same way Mr Edmondstone and Mr Tucker, two distinguished civil servants of the Company, attribute the exemption of Bengal from famines to the Perpetual Settlement. Mr Kaye bears witness that the provinces under it are the most thriving in India. In 1815 Lord Hastings sums up to the same effect the advantages India has gained under the rule of England, after a quarter of a century's experience of the system of Lord Cornwallis: "There is little or no emigration," he says, "of the agricultural class: indeed it is found that proprietors, before driven into exile or into the search of other means of livelihood, such as military service, daily return to reclaim

¹ Quoted in Mill, III. p. 268, 4to.

² Quoted in Kaye ut supra.

lands they had been obliged to abandon, in the certainty that they must now have ceased to be unprofitable. The wages of agricultural labour are much higher than they used to be, which is solely attributable to the greater demand for it. The more valuable articles of produce are also cultivated with much more spirit. There can be no doubt that the produce and the profits of agriculture have increased in a very surprising degree. The abolition of these arbitrary sayer imposts" (due to Lord Cornwallis), "which each Zemindar deemed himself entitled to levy on all goods that entered his domain, has now left open to every proprietor a free market for all his produce. The display of wealth is no longer avoided as dangerous;" and so on. Even in 1793 when Lord Cornwallis returned to England, when the Zemindars were still encumbering their estates by litigation and daily being sold up, the results on the revenue were most satisfactory. The receipts which Hastings had left at £5,300,000 had increased to £8,225,000: there was a surplus on the year of more than a million: the debt had been reduced from 27 to 19 millions. Golden visions of prosperity opened: the surplus was to contribute yearly half a million to the Home Government, half a million to the extinction of debt. So good a result, both financially and economically, must have been partly owing to internal peace and a fixed and uniform settlement: we must remember too that the selling up of the estates of the most improvident of the Zemindars, and the substitution in their place of more thrifty traders, must have had some of the good effects produced in Ireland by the operation of the Encumbered Estates Courts: but enough is still left to be accounted for by the feeling of property in the land aroused in the Zemindars, fully to justify the foresight of the Governor General who first conceived the idea of arousing it.

An immediate settlement with the ryots is established in Madras.

Thus the Perpetual Settlement of Bengal, though it was powerless to effect any great alleviation in the social condition of the inhabitants, acted as a considerable stimulus to the material prosperity of the country. About the same time a settlement had to be effected in Madras. In 1792 a commission was appointed to consider the case of the lands ceded by Tippoo: at its head was Captain Read, and under him three military officers, Macleod, Graham and Munro. The master mind in the Bengal settlement was Lord Cornwallis, a statesman of great European experience: the master mind of the Madras settlement was Munro, a young officer of the army, who had made himself thoroughly acquainted with the languages and customs of the natives, and had attained, in a degree seldom surpassed by an European, their esteem and confidence. It is quite consistent with this contrast of character in their authors that great political and economical ends should have been aimed at by the first, while results likely to advance the happiness of the people themselves were the chief object of the second. Tippoo had kept up in his dominions the ancient principle of joint responsibility of the village communities; but the amount of the land-tax had been entirely arbitrary. The researches of the commissioners led them to reject the assessment by villages, and propose that the country should be rented immediately of the government in small farms. They at once made a reduction of 15 per cent. in the assessment, and gave the ryots the option of an annual re-settlement, or leases with a rent fixed for their duration: it was promised that no addition should be made to the rent for improvements effected by the tenant. By 1798 the rents were fixed at what was thought an equitable rate, but this was found to be really in the ratio of 70 : 47 to the rents of Bengal.

Munro's plan generally pre-

Munro's plan, entailing a laborious assessment of each

field, had many opponents in Madras. The Madras Board ^{vails in Ma-} of Revenue advocated the custom immemorially fixed of ^{dras.} assessing the tax on the whole land of the village, which could be easily ascertained from the village registers, and was held, in the notions of the Hindus, to be the real unit of property, not an aggregate of separate units belonging to individuals. But in 1800, when territory had been ceded to the Company by the Nizam, Munro was again appointed to settle their revenue system. These are some of the principles he observed in this settlement. 1. The amount of the assessment is to increase or decrease according to the extent of land in cultivation. 2. A general reduction of 25 per cent. is made on the native assessment. 3. 8 per cent. more is to be taken off the tax for such tenants as keep wells and tanks, or embankments for irrigation, in repair. 4. The length of lease is left to be fixed by the ryots and the amount of land they will cultivate, but they must not make a selection of land, but each take his share of good and bad alike. 5. The ryots might underlet their holdings. 6. The villagers were to be jointly responsible for failures of any individuals arising from ordinary accidents, provided the general increase of rent did not exceed 10 per cent. from this cause. 7. Unoccupied land was to belong to the Government. 8. Certain other taxes, duties, and licenses, were reserved by the Government. 9. The constitution of the village was not to be interfered with. He has given us himself an account of the operation of his system. In September, or October, the European collectors go their rounds: the crops have then been just reaped, and the Tehsildars or native revenue officers, and Potails or Headmen, have valued them. The collector assembles ^{Munro's account} the ryots of four or five villages at some central place, ^{of the working of} inspects the accounts of the native officers, ^{his plan.} makes the necessary increases or decreases, assesses on the lands of the

village the shares of those ryots who have failed, and if this is objected to, refers it to the arbitration of the neighbouring villages. Very much, it would seem, in this system is left to native honesty; there is no setting of one native interest against another, as in the Zemindaree settlement: it would require a great familiarity with native usage and native character in the European collectors to guard against fraud. But with good officers to secure justice to the Government, and at the same time to obtain the sympathy of the natives, it is more likely, it would seem, than any other system we have tried, to produce a kindly feeling between the governors and the governed, and a general happiness amongst the people under it, while, at the same time, in advantageous contrast with the Perpetual Settlement of Bengal, it allows the resources of the Government to increase with the increased productiveness of the country.

Munro's system, though approved by a Committee of the House of Commons in 1810, was changed, almost as soon as he left India, to a system of assessment by villages. But in 1817 it was re-established by the Directors, and in 1820, when Munro was Governor of Madras, was finally settled throughout the whole country. A further reduction in the assessment was then made, but over-assessment seems to have still prevailed in some of the less forward parts of the country, so much so, that in the district of Salem it was thought to be the cause of half of the cultivable land being in 1834 uncultivated. It must always be borne in mind that the agricultural state of these districts was less advanced than that of the lands under the Perpetual Settlement of Bengal: but it seems to be true, as the advocates of a Zemindaree system urge, that the absence of any proprietary interest in the land they cultivate acts upon the ryots as a discouragement to material improvement.

But it is surely a question worthy of the consideration of political economists, whether a civilization of plenty, purchased by oppression, is to be preferred to a civilization that may be gradually worked out by the harmonious operation of a social system based on native co-operation, to further common interests and obtain common objects of desire¹.

A third system yet remains to be examined. During the warlike administration of Lord Wellesley some districts, ceded by Oude, and others, between the Jumna and Ganges, conquered from the Mahrattas, laid the foundation of our north-west provinces. The Permanent Settlement of Lord Cornwallis was then in the heyday of popular favour, and Mr H. Wellesley, whom his brother appointed Governor, was ordered to establish it in the new provinces. A provisional settlement first for three, then for four years, was adopted; at the end of the seven years perpetuity of tenure was promised. But in 1807 Lord Minto, whose administration followed the second short administration of Lord Cornwallis, thought more investigation necessary before fixing the settlement, and sent Mr Tucker and Mr Cox to go through the country, and report on the expediency of a permanent settlement. They agree that the state of the country is not at all ripe for anything permanent as yet, and in 1811 the Directors sanction their views. So the provisional system, which recognized all manner of tenures, is continued. In the ignorance of the English officers this provisional settlement opened a door to great imposture on the part of native collectors. In the lists they supplied to the European collectors, these men would enter some fictitious Moslem name as the proprietor of an estate. In the next list they sent in, their own name would be inserted as

*Settlement with
Village Commu-
nities in the
N. W. provinces
1833.*

¹ The account of Munro's system is derived chiefly from Kaye's *History of Administration of East India Company*.

purchaser from this fictitious person. And in this way many frauds were committed on the ryots, who really owned the land, till Mr Robertson, the collector at Cawnpore, after infinite trouble with the native law-courts, obtained a decision from the Court of Appeal at Calcutta, which put a stop to them. About the same time, in 1822, an order was issued to the collectors to obtain information on the subject of village-settlements in these provinces, and to survey the whole districts with a view to a revenue settlement. The survey went on at first very slowly. By 1830 the progress was found to be so gradual, that at the same rate it would take 481 years to survey the whole of Bengal and the north-west provinces. By adding to the staff of surveyors, all but an area of nearly 60,000 square miles out of 310,000 was surveyed and mapped before 1850. But long before the survey was completed, the settlement, of which it was the basis, was put into operation. It was what is called a Putteedaree settlement, the Putteedars being the proprietors of allotments of estates held under the old village-system. The cultivation was carried on by individual proprietors (if the word may be allowed), but the responsibility was shared by the village, and the village was looked upon by the government as the unit. It was in 1833, under the government of Lord William Bentinck, that this came fully into operation. By a regulation of that year, special settlement officers (with Mr Bird at their head), acting under the authority of the Lieutenant-Governor of the north-west provinces, were appointed to go over the country, to revise the assessments, to ascertain the demarcation of villages, and to obtain a record of the rights of property within the villages. This settlement had the advantage of being founded on the fullest investigation of the existing state of things in the countries affected by it. The village-system obtained the admiration

*Survey of the
N. W. provinces
is carried out
1822—1850.*

of the settlement officers: they saw the natives acting together for common purposes, neither endeavouring to cheat Europeans nor to oppress one another; and it is difficult to imagine that the ancient prescription and permanence of family connexion in the village does not foster a kindliness and brotherly feeling in the members. This was encouraged by the settlement officers, who granted a right of pre-emption, in all cases where a ryot was sold up, to the co-parceners, so as not to introduce a stranger without the consent of the village authorities. The system is said to work very well: the government demands are not more than a third of the gross produce; and with this the revenue has increased, while sales in default of payment have decreased. Of the country between the Sutlej and the Jumna, it was said in 1852, "Formerly the country was inhabited by a wild and lawless set of people whom no one could manage. Native chiefs would not take the lands at a gift. Now the country is thickly inhabited and well-cultivated, and the most peaceful that could possibly be. The revenue has been paid up without a balance, and occasioned no perceptible distress. This is the effect of a firm rule and a light assessment¹." In no part of India is progress so rapid as in these provinces.

In all these cases more or less of self-government has been introduced as part of the scheme of settlement. In some of the less civilized parts of the country a much more absolute government has been exercised by the English officers, who have ruled them. These districts have been the great field for the exercise of those high administrative faculties which have been called forth so remarkably in our countrymen by our Indian empire. And it is in these places more than any others that our

*Non-Regulation
provinces.*

¹ Quoted by Kaye ut sup. p. 263.

1. *Arracan.*

rule may be said to have conferred unmixed good on the natives. Some of the most remarkable of these cases deserve to be considered briefly. Arracan, after being notorious from 1822 to 1835 as the most unhealthy and barbarous of all our possessions in India, was in four years completely changed by the instrumentality of two military officers, Bogle and Phayre. By 1840 jungles had been cleared and burnt; the climate was purified, it became one of the granaries of India, which exported rice to the Southern parts: its ports are always full of shipping. This was chiefly effected by a strict and clear determination of rights, and a fixed and moderate rate of assessment.

2. *Sindh.*

In Sindh Sir Chas. Napier, with characteristic prejudice, sent every civilian out of the country: his military officers were to be the pioneers of civilization. "Unsophisticated human nature," he writes, "and military nature must both be studied in dealing with barbarians; they would not bear a civilian arrangement suited to civilization, but crossing their prejudices; yet to the stern behests of a soldier chief they would bow in submission." In the revenue system he was less successful than anywhere else; for whilst his military administrators were subduing hill-tribes or sending supplies to the Sutlej, the native officials were left unchecked in the collection of the revenue. But when, in his own words, he had succeeded in 'fastening on the country a strong military gripe,' he began 'to apply all softening and healing measures to the vanquished race, all protective and encouraging measures to the liberated population, to make strong even-handed justice to be universally felt, to draw forth the abundant natural resources of the country, and repair the terrible evil of the Ameer's misgovernment.' Foremost amongst these measures was a great reduction of the old severe rate of taxation: he abolished the shopkeeper's tax and some others, and

though by this he sacrificed at the time a certain amount of revenue, he put the country in a good way to pay for the future. For the Punjab we effected much even before ^{3. *The Punjab.*} it was annexed to our empire. In virtue of our possession of the Jullundur Doab, between the Sutlej and Beas, our resident at the Court of Lahore had had great weight with the Council of Regency, who governed the country for the heir of Runjeet Singh. Henry Lawrence, who was sent there as Resident in 1846, found that, by the impotence of the native Durbar, almost all the duties of administration devolved upon himself. It could not have devolved upon an abler or more energetic administrator. In two years he had had all the country surveyed, he had made a satisfactory revenue settlement for different periods of years chiefly with the village communities, which exist in their purest form in the Punjab, he had abolished many oppressive duties, and he had drawn up a code of Sikh customary law. These measures were followed up after the annexation by the Board appointed in 1849 by Lord Dalhousie, of which Henry Lawrence was again the guiding spirit, aided by his brother John Lawrence, an experienced revenue officer, who had administered the Jullundur Doab, and Mr Mansel, who had great reputation as a financier. They made a light and equitable assessment the basis of the English rule: the rate was reduced on an average 25 per cent. Settlements were made for 30 years in highly cultivated lands, for 10 years where improvement might be expected: so that there is a good prospect, if peace is preserved, of a considerable expansion of the revenue. This is much to be hoped, as at present the Punjab is financially a burden to us; the revenue producing only 130 lakhs, while the ordinary expenditure on internal administration is 106½ lakhs, leaving not 30 lakhs for the

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heavy expenses of the army which has been necessary to protect it¹.

*Settlement of
Oude interrupted
by the Mutiny.*

The successful annexation of the Punjab led to the annexation of Oude, which Lord Dalhousie intended to settle as he had settled the Punjab. A commission, consisting partly of civilians, partly of soldiers, was appointed as in the Punjab. But their work was harder in Oude. The sirdars or chiefs of the Sikh country had been easily depressed, and a resumption of certain jaghires or lands granted on condition of military service had been effected, without any serious disorders. But it was a different matter to deprive of their predominance the lawless Zemindars of Oude, who had long held in virtual independence their isolated strongholds among the jungles, who had under arms altogether 100,000 retainers and 500 guns mounted, who had so oppressed the cultivators of the soil, that they had driven the warlike Rajput peasantry to go down in troops to the British stations on the Ganges and enlist in the Sepoy army. The Punjab had been disarmed, but the warlike character of the Oude peasantry, our best recruiting ground, was respected, and, though the carrying of arms was forbidden, the arms were left in the people's possession. The Zemindars were required to give up their guns. How it would have succeeded, cannot now be told, for, before the settlement was completed, the Sepoy outbreak of Meerut raised the hopes of all who had a grudge against England. In no place was the effect so great as in Oude: there alone the population all turned against us. After the heroic subjugation of the country, the work of settlement was all left to be begun again.

¹ For the Punjab, see Kaye ut sup. p. 454 sqq. The fact that it does not pay is strongly insisted on in an article against the system of Non-Regulation Provinces in *Frazer's Magazine* for March 1862.

After some difference of opinion an arrangement was finally made with the Zemindars, which is probably the fittest settlement that can be made for a country so disorganized. A thorough disarmament has been effected, and it seems probable that in time Oude may be as quietly settled under a permanent settlement as Bengal Proper now is.

The settlement with a view to the land-tax is so important in its influence on the social state of the country, that even independent of its forming the largest part of our revenue, it deserves an important place in an inquiry into the influence British rule has exercised on the material prosperity of the country. It now remains to examine very briefly our other resources, with a particular view to the expediency of the recent revolution in Indian finance.

When Lord Cornwallis settled the land-system of the Lower Provinces, he remitted a great number of lesser taxes, which were found oppressive to trade and not over-productive. But he retained two monopolies, which are now productive enough to form a very considerable item in the government receipts, the monopoly of salt and the monopoly of opium. To purists in Political Economy the word monopoly will itself carry its condemnation with it. But it is well worth considering whether in a backward country, like India, where a civilized government has many duties to perform beyond providing for its own safety, results may not justify even such a commercial heresy as a monopoly. The salt monopoly acts as a tax of a penny per lb. on salt, from the universal consumption of which it is almost the same in effect as a poll-tax. No other indirect tax would at all reach so frugal a population as the peasantry of India. Manufacture by private industry is allowed on paying an equivalent excise, and a customs duty is in like manner charged on imported salt.

Resources besides the Land-tax.

Government monopolies of salt and opium.

In the five years 1844—49 the tax was reduced 25 per cent., and is probably now at its minimum. There is very little contraband trade: there were only twelve imprisonments for this cause in a year over a tract of salt country containing 3,000,000 population. In Madras and Bombay the tax is still lower than in Bengal. It has hitherto weighed most heavily on the Upper Provinces: even at Benares the price was double the Calcutta price, from difficulty of transport; but this will be removed to a great extent by the completion of the railway. The net revenue from this in 1849 was £2,700,000, and has not materially changed since.

Opium.

Against the opium monopoly grave moral reasons may be urged. But these affect not India, but the independent country of China. To raise a considerable revenue by importing into a foreign country a drug greatly injurious to the moral interests of that country, in defiance of laws of the country forbidding it, cannot be justified by arguments about the eternal laws of Supply and Demand, and the inexpediency of making moral principles into national laws. But fortunately its guilt or innocence in no way concerns us. As regards India, Government merely buys up all the opium grown at a fixed price, and sells it by auction for exportation by private merchants to China. The fixed price is 3s. 6d. per lb. The cultivation of it presents a feature only too conspicuous in Indian agriculture, the system of advances to the ryots who cultivate it. Government makes advances in three portions in the ratio of 4 : 3 : 3¹ in the months of August, November, and January or February respectively. This diminishes the gross receipts of the year (£3,309,000 in 1849—50) by about a million sterling. Any system of advances must

¹ The amount of the advances has since been raised, and the extent of ground under opium cultivation increased.

be in one point of view objectionable, as tending to involve the peasants in an increasing debt. But, as contrasted with the indigo cultivation, in which a similar system is in operation in the hands of private speculators, European or native, the system prevailing in the government opium farms is distinguished by consideration for the interests of the cultivators. All engagements of the kind are perfectly voluntary: at the end of the year, if the advance is not repaid, the ryot is not allowed to run farther into debt, but the sum is either remitted or recovered by prompt legal procedure. And the engagement is found to be so popular that it is necessary to restrict the cultivation to the amount that can be advantageously disposed of. This contrast is the best justification of a government monopoly, though the restriction of cultivation is doubtless the form in which we should expect *à priori* the evils of a monopoly to occur. No one would propose now-a-days to establish a government monopoly of indigo: but where it is established the superior happiness it gives to the cultivator may be fairly set against what little may be lost in the limitation of production. The sum produced by the opium monopoly increased largely under Lord Dalhousie's government, and in 1856, 7 reached four millions and a half¹.

But with these and the small sums levied as customs duties there was no doubt that we only reached a very small part of the wealth of India. The land-tax was thought rightly by the older school of Indian financiers to be the only tax that could affect any large number of a poor and sparing population, who ate little and used little clothing. Its incidence was very extensive, but, as the capital of India has increased, and a class of capitalists,

¹ Kaye ut sup. has two Appendices on these two monopolies.

not landowners, has grown up, has become very unequal. At the same time the prevalence of the system of Perpetual Settlement, which came much into vogue after the Mutiny, in which it was found that the chief men often stood our friends, when the peasantry were hostile or at the best apathetic, seemed to forebode that the land-tax would not, for the future, experience much increase. Some other means of increasing the revenue must be found. The old resource for this purpose, the roughest form of which originated in the fertile brain of Warren Hastings, which was carried into effect mostly by Lord Wellesley, Lord Ellenborough, and Lord Dalhousie, was to enlarge our territory by foreign conquests. Warren Hastings' schemes were indeed not so ambitious: they were rather a system of squeezing foreign princes; but they were financially successful. Lord Wellesley, the most thoroughly war-like of all our Governor-Generals, reduced the surplus of £1,500,000 left by Lord Cornwallis to a deficit of £2,500,000. Under Lord Minto and Lord Hastings, who were generally peaceful rulers, while the revenue steadily mounted, a moderate surplus was obtained. And this state of things was again attained under the mild sway of Lord William Bentinck: but in 1836 a new era began,—between that year and 1850, £17,000,000 was added to the debt, chiefly from the Afghan war, which cost the enormous sum of £20,000,000. The Sikh war in its turn increased the debt, and, as has been seen, the annexation of the Punjab, so far from paying for its acquisition, has itself thrown an additional burden on the Indian exchequer. But on Lord Dalhousie's return in 1856, matters had nearly righted themselves; and although the deficit had increased to £1,850,000, he was able to trace this chiefly to the vigorous prosecution of public works, which may be looked upon not as the self-denying duty of a bene-

Enlargement of territory, as a financial measure, proves unsuccessful.

volent government so much as a prudent investment of public money. These few facts seemed to prove that acquisition of territory was not the remedy for the diseases of our Indian finance. This acquisition of territory, of course, left the principle of our taxation unaltered. In the newly-conquered as in the old provinces the land-tax was our main resource. Another plan was proposed of increasing the proceeds of this in the countries in which it was already in operation, by resuming lands held free of taxes. *Resumption of Enam lands costs as much as it brings in.* The justice of this could hardly be questioned, as otherwise these landowners contribute nothing whatever to the expenses of the government which protects them. But to disturb ancient privileges of this kind is not only often dangerous, but spends as much money in litigation as it brings in. Sir J. Malcolm suggested a much less objectionable plan, of levying a succession duty on such lands. But any relief from this source must have sunk into absolute insignificance before the increasing mountains of debt that were heaped up by the Mutiny. *Increase of expenditure and debt after the Mutiny demands vigorous remedies.* In 1860 Sir Charles Wood informed us that the Mutiny had already raised the Indian debt from fifty-nine millions and a half to nearly ninety-six millions, while the estimated deficit for 1860, 61 added ten millions more. The military expenditure alone had been raised from twelve millions and a half to twenty-one millions.

These terrible facts led to a thorough reconsideration of our policy in India. To establish an equilibrium, it was seen, nine millions at least must be cut off the military expenditure: it was not thought possible to touch the Civil Service expenditure: European control, which was the expensive part of our civil system, was only too deficient already: to give up public works was to resign an investment that promised to be profitable, and at the same time to neglect our best chance of tightening our hold of *1. Reduction of expenditure on the army.*

the country. But how to reduce the expenditure on our army just after we had passed through so terrible a danger? The native rulers of India, of whom 220 of more or less power still remain, have in their pay altogether 350,000 men; many of the less powerful of them, like Nana Sahib, had shewn themselves able to bring troops and guns into the field against us. To maintain ourselves against these, as well as against foreign enemies, we must keep up a considerable force. However, it was resolved to set boldly about the work of reduction. To begin with, we had got rid of our Sepoy army: it was, indeed, necessary still to keep native troops, avoiding, as far as possible, Brahmins and Mohammedans, who had been shewn by the Mutiny to be inherently disaffected. But it was thought that a police, militarily organised, might advantageously take the place of a considerable part of the old native army. At the same time some other means must be devised of securing our position in India, which it was so difficult to maintain by the influence of sheer force.

2. Measures for the introduction of English capital and English settlers, especially that of Lord Canning.

From the earliest times it had been thought that the hands of our government would be much strengthened if an element of independent European settlers could be introduced. Warren Hastings had wished to see the district in the neighbourhood of Calcutta, known as the Twenty-four Pergunnahs, sold as Zemindarees, and Europeans allowed to purchase. But the Directors consistently refused to abandon the traditional policy¹, founded on a fear that will not appear unreasonable to those who know what European colonization was to Hispaniola, Mexico, and Peru, of keeping English from possessing land. However, both Lord Metcalfe and Lord W. Bentinck disagreed with the Directors on the point. In 1837 an Act

¹ No doubt the old feeling against interlopers was partly the foundation of this policy.

of the Government of India was passed, allowing Europeans to settle on the same terms as natives. But English capitalists have shewn an insuperable objection to settle, unless they can purchase the fee simple of the land. The indigo-planters, who have lately been a very conspicuous class, are generally overseers for companies, and are seldom themselves the Zemindars. A few English Zemindars were unmolested during the Mutiny, but generally the few unofficial English resident in India (only 10,000 in 1852) are equally hostile to the Government and the natives. The way in which the natives regard them we have lately had an opportunity of seeing in the play of *Nil Durpan*. It is impossible to tell how the general character of this class would be changed by receiving the fee simple, and becoming *in fact* the landowners. Lord Canning has at last risked the experiment, and a few years will probably materially aid us in the solution of this question. It may be confidently hoped that the evils of Mexico in the 16th century will not reproduce themselves in India in the 19th. Nor is the case of settlers in India sufficiently like that of settlers in Australia or New Zealand for us to augur ill-success in the former case from our experience of the latter. The English agriculturist who buys land in India will find himself not in a country of solitary sheep-walks, over which scattered tribes of savages of the lowest order wander, but in the midst of a numerous population, peaceful, and willing, though not very energetic, in work. Their labour is so cheap that it cannot be his interest to remove them out of his path. He will be in a position of almost patriarchal authority, and will have a noble opportunity of teaching a people, who are probably at present very low in the scale of happiness, many of the virtues, the arts, and the enjoyments of European life, and of helping

on a backward population in the path of civilization. "The measures as to the tenure of land," Lord Canning said in his farewell address to the European and Armenian population of Calcutta, "will not, I hope, disappoint you. It is not merely the employment of European capital which, in framing those measures, has been had in view. They have a further and a higher scope. England has before her one of the most difficult problems that state policy can be called upon to solve; the drawing together, with harmony and without injustice to either side, two great races radically different in everything that forms the character of men, but which, by the course of events, are being gradually brought face to face. And I know no measure, which is more likely to teach to each side its duty to the other as fellow-subjects and neighbours, than one which shall enable the interests of both to be bound together more permanently than by those uncertain, precarious, and fleeting ties which have hitherto characterized the connexion of Englishmen with the soil of India¹."

A measure of this sort could hardly have been ventured upon, had there not been a good prospect of filling up from other resources the void it was likely to make in our ordinary revenue by the cessation of the land-tax on lands sold by the new system. Can we impose new taxes? was a question frequently asked in the embarrassment that followed the Mutiny. Was it possible to change the incidence of taxation, so as to relieve the land from its disprop-

¹ I quote this from the report in the *Times* of April 21, 1862. Mr Laing in his financial statement (reported in *Homeward Mail* of May 19, 1862,) does not seem so sanguine as to the extent to which the measure is likely to succeed. Sir C. Wood about the same time, in the House of Commons, said that he thought it very doubtful whether much waste land would be disposed of.

portionate burden, and reach the stores of rich natives? This was one of the questions that Mr Wilson undertook to answer; and his footsteps have been followed by Mr Laing, with the approbation of Lord Canning. Direct ^{3.} *Income Tax.* taxation had always, in the time of the double government, been held impossible; and so dangerous did the income-tax proposed by Mr Wilson appear to Sir C. Trevelyan, then governor of Madras, that he not only protested, but published his protest against it; an act which can hardly be acquitted of the charge of grave indiscretion. But in February 1860 Mr Wilson actually imposed a quasi income-tax together with a tax on tobacco: the income-tax has caused no grave discontent, and is as productive as could be expected¹: Mr Laing in his budget for 1862 has altered it, so that the tax of 2 per cent. on small incomes, which caused annoyance and was very expensive in its collection, should be entirely abolished. A tax on licenses for trades was levied till this year, but was found objectionable, and has been repealed. It is quite probable that several such false attempts may be made: Indian financiers must for a long time advance step by step, from experiment to experiment; every measure must be taken, by providing suitable fields for its use, to prevent the hoarding of money, which is the surest means of frustrating all schemes of raising revenue; and we may at length hope that the revenue will gradually increase side by side with the prosperity of the country, and in its turn, by the judicious use made of it by an enlightened government, re-act upon that prosperity, providing every year stronger guarantees for the agricultural and commer-

¹ The income-tax is professedly only temporary: and Mr Laing, in his financial statement, holds out great hopes that it has not more than three years of life left to it.

cial improvement of the country, and the better security of life and property.¹

¹ In the short time since this Essay was written, our whole Indian policy may be said to have passed through a revolution by the reversal of Lord Canning's measure for the sale of waste lands and redemption of the land-tax by Sir C. Wood, and the succession of Sir C. Trevelyan to the post then filled by Mr Laing. Sir C. Trevelyan is notoriously pledged against direct taxation for India, and before leaving England publicly stated that he intended to pursue a policy of reduction of expenditure. It is quite possible that he may find this reduction cannot be safely extended in any great degree. Military expenditure has been already largely cut down; and that of the Civil Service has been acknowledged by almost all who have discussed the point, to be no higher than it ought to be. At the same time, though our Revenue is not likely to suffer any such great curtailment, as it would have suffered had Lord Canning's measures come into any extended operation, there is surely a great chance that it will be prevented from much further expansion by the general introduction in course of time of a Permanent Settlement. We can hardly believe, with our experience of English finance of the last few years, that in many points, notably in public works and education, the expenditure will not increase. The expenditure on public works will no doubt in time pay a good interest, in the effect it will have (especially as regards irrigation) on the cultivation of the land: for where lands now waste are brought into cultivation, in many cases the Permanent Settlement will not deprive the Revenue of its share of the profits. But this will be a very slow process: in the mean time it is hard to see how the Indian Government will preserve its present good financial position without having recourse to some form of direct taxation.

CHAPTER III.

THE ADMINISTRATION OF JUSTICE.

THE measures that have been taken for the administration of justice in our Indian empire are next to be examined. This, as it is the highest duty of any government, has been, in the case of our Indian Government, by far the most difficult. To carry into execution the principles of law that have obtained amongst a people totally different to ourselves in national character, and contained in no regular code, but deduced from precepts scattered through sacred books, is of itself no easy task. But to do this in an infinity of cases of all different kinds, in addition to the work of collecting the revenue and carrying on the civil government, was the task really set before the few civilians who were scattered over the territories we possessed in the early period of our rule. To aid them in it they indeed had qualified expounders of native law, and a more or less organized system of native judicial and police officials. From their excessive amount of business, which, as Sir H. Strachey tells us, almost entirely prevented the civilians from gaining an intimate acquaintance with native habits, character and language, they were obliged to put themselves far too much in the hands of these officers. The generality of the subordinate native officials were such as we should expect to find them in the disorganized fragments of what had been a gigantic despotism. You cannot

*Difficulties in our administration of justice,
1. From corruption of native subordinate officials.*

easily find in India a trustworthy agent, on whom you can safely confer authority over his neighbours. Every one of these subordinates ought to be narrowly watched, or he will sell justice to any who bribes him, or use his authority in the most cruel and arbitrary way. It was to agents of this kind that almost all the fearful stories of oppression that inflamed the public mind against Hastings were traced. Mr Burke said in bitter irony, speaking of one Debi Sing, one of the most notorious of these Indian agents, "You are to understand that in many things we are very much misinformed with regard to the true seat of power in India. Whilst we were proudly calling India a British Government, it was in substance a government of the lowest, basest, and most flagitious of the native rabble¹." In the open court of justice (at Rungpore), again to quote Mr Burke, "no judge or lawful magistrate had long sat, but in their place the ruffians and hangmen of Warren Hastings²." These natives, if powerful and wealthy, often, it is to be feared, obtained a corrupt influence over their English superiors: but more usually they were left unchecked, because unobserved, by the overburdened chief collectors and magistrates.

To administer justice under these circumstances was far harder than it would have been had no native machinery been found in existence on our arrival in the country. To a rude people a rude justice might have been administered, as it has been administered amongst hill-tribes in later times of our empire, by the army that was necessary to hold it in subjection. But with the elaborate law-courts of Bengal, a very considerable number of English magistrates of high character and position was requisite to pre-

¹ Burke's speech on fifth day of Hastings' Impeachment. Works, Vol. VII. p. 426. Ed. 1852.

² *Ib.* p. 435, where some of the most dreadful tales of cruelty are told.

vent them from committing the grossest injustice and tyranny. But the straitened finances of the East India Company could afford but a scanty supply of such magistrates, with very insufficient salaries, and often very young men. Nor were their difficulties only from the native officials.

The general character of the whole Hindu people is singularly adverse to a pure system of justice. There is no public feeling against crime. It is difficult to induce the peasant to come forward to give his evidence against the robber who has burnt down his house, and tortured himself and his children. This, no doubt, arises from a deep-rooted distrust of the government, and is the same feeling as was shewn so conspicuously in the Mutiny, in which the people, though unwilling to join the Sepoys in actual hostility to the English, yet steadily refused to declare for the established government. The protection of government is not sure: the revenge of him against whom you have borne evidence is sure as fate. And, if we descend to lower strata of the population, perjury is a fearfully common offence in India. A rich man, it is said, can prove an alibi to any charge. Witnesses can be picked up in the precincts of the court to give any evidence for or against any one. So that, when evidence is forthcoming, the judge must very often feel a disquieting suspicion that it may be false. Every year Sir William Jones, in his Charge to the Grand Jury of Calcutta, complained of this evil, and expended all his ingenuity in devising more awful forms of oath. It is probable that no advance in this direction will do any good. The Commissioners appointed in 1833 to draw up a Criminal Code laid down as the three remedies against it: 1. A strong expression of our disapproval of it. 2. A well-regulated scale of rewards and punishments for good and bad evidence. 3. A familiarity of the judge with native modes of thought. In the

2. From the general character of the natives.

*Provisions
against perjury
in the new Penal
Code.*

Code¹ drawn up by the Commission (of which Lord Macaulay was the principal member), the punishments for fabrication of false evidence, which they say is more common than actual giving of false evidence, are graduated according to the penalty of the crime of which the person against whom the evidence is fabricated, is accused. If death is actually caused by the false evidence, death is the penalty; if it is given on a capital charge without succeeding in its object, the punishment is transportation for life; and so on through the other stages. This seems to have sufficiently given us the first two safeguards: the third, the familiarity with native modes of thought, is difficult to attain. It appeared at the time of the Mutiny that none of the English had clearly understood the feelings of the natives on the subject of cast, and there are probably many cherished feelings into which we still have very little insight. But in the future, if education spreads, as there is reason to hope it will spread, we may gradually assimilate in some degree Indian thought to our own, and break down some of the reserve which has hitherto obstructed all confidence between the two nations. And it is to be hoped that this same education will go more to the root of the matter, and remove partially the evil of perjury itself.

*Judicial settle-
ment of 1771.*

The first regulation by the English of native courts of justice dates from the time at which the Directors resolved to stand forth as Duan. At that time, as has been described in the last chapter, Warren Hastings took out of native hands the supreme control of the collection of the revenue. With this went the chief judicial power: for the administration of justice, so far as it could be said to be administered at all under Surajah Dowlah, had been in the hands of the provincial duans or revenue-officers, with

¹ See Chap. x. of the Code, which is printed separately, and note G.

whose department a large proportion of the ordinary litigation seems to have been connected. The English chief collectors, who in this system presided over the collection of revenue in the different districts, were also made the chief judges. Two courts, a criminal and a civil court, were established in each district, in both of which the collector presided. In the criminal court he was aided by the causee and muftee, i. e. the expounders of Moslem and Hindu sacred law, and by other native officers. In the Civil Court his assessor was the provincial duan, the officer who had been responsible to the court of Moorshedabad for the revenue, and who had experience at any rate in the revenue laws of the country. Besides these district courts two Supreme Courts of Appeal were established at Calcutta: 1. The Civil Court, the Suddur Duan Adaulut, was composed of the Governor, two members of Council, and certain native officers. 2. The Criminal Court, the Nizamut Suddur Adaulut, consisted of one chief judge, aided, as in the district courts, by a causee and muftee. This Criminal Court of Appeal was very shortly removed again from Calcutta to Moorshedabad. This arrangement could have made only the slightest possible difference in the law courts. One English officer, who could not be expected to understand the obscurities of native law and native custom, was placed alone amongst the old native officers, who could probably work their own will with very little check. What made this worse was that the English chief collectors were generally young men, who, in the rapid promotion of the palmy days of fortune-making in India, held their offices no very long time. Yet we were so utterly unprepared to undertake the government of a great dependency, at the time when the Subahdaree of Bengal fell into our hands, that it is not surprising no better arrangement could be made. One

great benefit conferred by this first arrangement was that the chout, or tax of one-fourth of the litigated property, which the judge had formerly exacted for his own benefit, was abolished.

*Supreme Court
of Judicature
appointed at
Calcutta by
Regulating Act
of 1772.*

About the same time the Regulating Act of the English Parliament appointed a Supreme Court of Judicature to sit at Calcutta, and administer English law to those who could fairly be held subject to it. The court was composed of a chief justice with a salary of £8000 a-year, and three judges with salaries of £6000, and they were competent to try all manner of cases. It was thought perfectly fair that an Englishman in India should be still subject only to the law of England. But it was necessary to restrict the jurisdiction of the court very carefully. It was just as unfair that the natives should find themselves liable to a strange foreign law and procedure, as that the English should be bound to obey the precepts of the Koran or the Code of Menu. The English law recognizes as offences of the greatest magnitude acts which are looked upon as venial by the moral feelings of Bengal: the English law adopts as a necessary form to a criminal trial personal arrest, which to an Indian of high cast is the most shameful indignity. The Directors indeed put the case in its most striking form when they pointed out the absurdity of making a Mussulman subject to the English law of bigamy. So it was clearly defined that this court should be appealed to only in claims against British subjects or the Company in its corporate capacity, or such natives as had in the case in question agreed to abide by it. In criminal causes it was declared that all Englishmen, or natives in the service of the Government, should be liable to its jurisdiction. Even in the latter case it was seen to entail great hardships, when Nuncomar was executed by the sentence of Chief Justice Impey for the crime, trifling in Indian eyes,

of forging a bond. In this case, although Impey was greatly to blame for not exercising his privilege of granting a respite, the crime of calling the law into action in a case to which it could not with justice be applied was Warren Hastings'. But some years later, the judges of the Supreme Court shewed to the world one of the strangest freaks of ambition on record. It is hard to see what interest they could have in extending their jurisdiction beyond its prescribed limits: but their conduct bears the impress of nothing else than the desire to acquire for themselves the whole government of the English possessions. They began by stretching the words of the regulation that their court was to have jurisdiction over all natives in the service of the Government: they maintained that the Zemindars were in the service of the Government, as farmers of the government revenue: they shewed the utmost readiness to accept any evidence, credible or not, to the fact of a native being by position or by his own act under their jurisdiction. They encouraged appeals from the Suddur Court at Calcutta in revenue cases; they boldly set at nought the Criminal Court of Appeal at Moorshedabad. In the Patna case of 1777 they ruled that all renters of the revenue were servants of the government, and they applied the maxim "Delegatus non potest delegare" against the causee and muftie of the district court, whom they convict, seizing the unfortunate causee, who died shortly of vexation: while the rest of the accused suffered a tedious imprisonment till 1781, when they were released by order of the British Parliament. The government of India was powerless to check them, as, according to strict constitutional principles, the court had been made by parliament independent of the supreme council. They even went so far as to serve the Governor-

Their attempt to gain the supreme power in India.

General and members of council, who had endeavoured to protect some of their victims, with writs: and Hastings is said to have thought the crisis so dangerous as to have meditated resisting their encroachments by civil war. The sufferings inflicted on the people by these proceedings were fearful. A native Zemindar was summoned suddenly to go 500 miles up to Calcutta: his person was seized by Impey's bailiffs, who were little likely to shew consideration or gentleness; he was thrown into prison till his trial came on; he was tried in an unknown tongue, with unknown ceremonies, forced to take an oath which he abominated, condemned on principles which he was totally incapable of understanding. "The minds of the natives," Mr Mill says, "were thrown into the utmost consternation and alarm. They saw themselves surrounded with dangers of a terrible nature, from a new and mysterious source, the operations of which they were altogether unable to comprehend. The principles of English law were not only different, in many important respects, from those to which they had hitherto been indebted for the protection of everything which they held dear, but opposite and shocking to some of their strongest opinions and feelings. The language of that law, its studied intricacies and obscurities, which render it unintelligible to all Englishmen, who have not devoted a great part of their lives to the study of it, rendered it, to the eye of the affrighted Indian, a black and portentous cloud, from which every terrific and destructive form might at each moment be expected to descend upon him¹." "No Mahratta invasion," says Lord Macaulay, "had ever spread through the province such dismay as this inroad of English lawyers. All the injustice of former oppressors, Asiatic and European, appeared

¹ II. 561.

as a blessing, when compared with the justice of the Supreme Court¹."

If this had gone on much longer, it is difficult to believe that it would not have stirred even the feeble and apathetic Bengalees to rebellion. There must have been haughty Mussulmans in the country who were driven almost to madness by the personal indignities which not only themselves, but the women secluded in their harems, had to suffer from the low-born villains who crowded to the prospect of prey that the service of the Supreme Court opened to them. Hastings, however, to whom it is but due to say that he strictly set himself against this oppression to the risk of Impey's friendship, which had been and might still be very useful to him, found means of stopping it. He had no power to restrain Impey, but he knew how to win him over. The Sudder Court at Calcutta, the court of appeal in civil cases, had hitherto been under the presidency of the Governor-General aided by the Supreme Council. Hastings now changed its constitution, and appointed a chief judgeship to it, with a salary of £8000 a-year, and offered the place to Impey. The judge was removable by the council, and, from the Chief Justice's acceptance of this, there was no longer any risk of writs being served on members of Council. Thus the disorders, which had caused so much misery and terror to the people, which had nearly been the occasion of an armed conflict between the chief political and the chief judicial authorities, were quietly ended by a job².

The Supreme Court has never again adopted a course, probably unique in the history of judicial bodies. But,

¹ *Essays*, p. 616, (ed. 1852, 1 vol.)

² The co-ordinate authority of the Supreme Court and Supreme Council lasted till it was abolished by the India Bill of 1833. See Macaulay's speech on the Bill, in his *Speeches*, pp. 153, sqq.

Lord Cornwallis's judicial system.

though the disorders they occasioned, while they lasted, were so vast as to eclipse all others, the ordinary system of justice had not been going on over smoothly in Bengal in the mean time. The district courts were terribly overworked, and redress of wrongs was very slow in coming. When Lord Cornwallis had remodelled the revenue system, he proceeded to enlarge and alter the judicial system. In 1793 his new arrangement was published. A judge was appointed in every zillah, or chief city of a district, of superior rank to the collector, who resigned his judicial functions to the judge. Native commissioners were appointed to decide unimportant cases, an appeal being allowed to the English judge, and the expounders of Hindu and Mohammedan law were of course still indispensable. But all appeals were no longer to be carried to Calcutta or Moorshedabad. Four provincial courts of appeal were established at Calcutta, Moorshedabad, Dacca and Patna. These each had three judges, and could decide in civil causes all appeals where less than 1000 rupees¹ were in dispute. As criminal courts they were to go on circuit, and have gaol deliveries at the principal towns of their provinces, to try such penal cases as the Zillah Courts could not settle. But in 1794 it was found expedient that one of the three judges of each provincial court should always remain at the provincial centres to try civil appeals. The judges who went on circuit were, on their return, to report on the general condition of the law, on the jails, and on the moral and physical state of the people. The constitution of the Suddur Duannee Adaulut was restored to what it was before Hastings' compact with Impey. It tried all appeals, where the value of the property in dispute was too high for the provincial courts to be competent to try them, with an appeal from it to the king

¹ The limit of 1000 rupees was afterwards raised.

in council, if as much as 50,000 rupees were at stake. The same members as formed the Suddur Duannee Adaulut, formed also the Nizamut Suddur Adaulut, or chief criminal court of appeal, which soon after Hastings' regulations had been removed to Moorshedabad. It was now brought back to Calcutta.

The law by which all these courts were guided in their decisions was contained in no code, but deduced from the Koran and the Shasters with the commentaries of causees and muftes thereon. Only some of the more cruel and revolting punishments were removed. Mr Mill says of this law, probably with great truth, that it was deficient in clearness, certainty, promptitude and cheapness. "A good code of laws," he says, "is perhaps the only great political blessing which the people of India are as yet capable of receiving¹." The first person who took steps to confer on them this benefit was the great lawyer and scholar Sir Wm. Jones, who, in Lord Cornwallis' time, was chief justice of the Supreme Court at Calcutta. What he suggested to Lord Cornwallis was a codification of the Hindu and Mohammedan laws, to be effected by two Hindu pundits and two Mohammedans. This was tried, but produced an useless farrago. Sir William Jones himself translated the Gentoo Code, and a collection of Mohammedan laws. A successful codification of a great mass of ancient law and custom carried out on a rational principle was hardly to be expected from native minds. It was not till the Act of 1833 that a vigorous attempt was made to set European lawyers to work at the system of native law. By that act a Law Commission was established, to be presided over by the Legislative Member of Council: it consisted of five persons, selected by the Directors, who were instructed to inquire fully into the juris-

State of the law administered.

Sir W. Jones proposes that a Code be made.

Law Commissioners of 1833 draw up a Penal Code.

¹ III. 319.

diction, rules and powers of the existing courts of judicature and police establishments, into all existing forms of judicial procedure, and into the nature and operation of all laws, whether civil or military, written or customary, in any part of the territories; and from time to time to make reports, suggesting alterations in all these points. Ma-caulay, then a rising young man, who had been Secretary to the Board of Control in 1832, was selected as Legislative Member of Council, and President of the Law Commission. After consulting with all authorities on legal matters, a task much complicated by the great diversity of race, law and customs in India, they produced a Penal Code, already referred to in this Chapter, which has at length, at the beginning of the present year, come into force. But its operation had been felt before in the effect that the information contained in it had exercised on Indian legislation. When it had completed the Penal Code, the Law Commission was suffered to die out, and the Civil Law has not yet been codified: but a codification is much talked of, and the framers of it will soon be able to avail themselves of their experience of the operation of the Penal Code.

*Inadequacy of
the Courts for
the business.*

But independently of the indifferent character of the law administered, the courts, under Lord Cornwallis' system, were found to have many failings. First of all, they were inadequate to the amount of business they had to get through. They were almost immediately choked up by arrears. In 1795 it was thought advisable to exact certain fees and stamp-duties from all people bringing an action. But this was strongly objected to by Sir H. Strachey, one of the judges, who took a lively interest in the condition of the native population. He estimated that quite 95 per cent. of actions brought in India are for real wrong done. Every regulation, therefore, that decreases

the number of actions brought, hinders the redress of wrong: every pecuniary regulation with that object hinders the redress of wrong done to the poor. It was found in practice that these fees did not at all release judicial affairs from the deadlock into which they had got. Speedy justice was quite unattainable. It has been shewn in the last Chapter how a summary process in revenue questions was granted first to the Government against the Zemindars, then to the Zemindars against the ryots, and lastly, to the ryots against the Zemindars. There was no pressing need of speedy justice for state purposes in other departments of law, and the state of affairs was acquiesced in for nearly forty years. But it was felt to be a great evil. The Directors, in 1812, had written, "We should be very sorry that, from the accumulation of arrears (of cases pending trial), there should ever be room to raise a question whether it were not better to leave the natives to their own arbitrary and precipitate tribunals¹." Yet the revenue would not bear the increase of the number of judges; another instance of the vital importance to the subject, that the finances of the Government should be in a healthy state. In 1828 Lord William Bentinck was made Governor-General, and effected several important changes in the Judicial system. 1. He abolished the Provincial Courts of Circuit, which, it was found, had been neglected, as the ablest servants of the Company had been drained off into the Revenue Service. His first intention was to replace them by making the Revenue Commissioners go on Circuit in their stead. But this was seen at once to be impracticable; and the civil judges of the Zillah Courts were made to go on Circuit, their duties as police magistrates being transferred to the revenue officers. 2. He appointed a Court of Appeal at Allahabad, the capital of the north-

Lord W. Bentinck's changes, 1831.

¹ Mill, III. 307.

west provinces. 3. He appointed, in 1831, a higher class of native judges, with power to try any cases subject to an appeal to the European courts. This is the last great re-constitution that has been made in our system of administering justice.

*inefficiency of
native police.*

No judicial system can fulfil its end of providing security for the people under its protection without the aid of an efficient police. To provide an efficient police has been one of the great difficulties of Indian statesmen. A native is willing enough to take employment as a darogah or constable for very low pay, but he has great objections to setting himself decidedly on the side of the law against illegal practices. The head of a gang of thugs or dacoits seldom found any difficulty in securing the silence of the police. It was even said that the dacoits divided their gangs by the police thannas, and organized a regular system for the corruption of the thannadars. Colonel Sleeman, the greatest of all our officers who have hunted out and suppressed these two terrible pests of Indian society, says the police were so wretchedly paid it was no wonder they eked out their livelihood by bribes from all quarters. Mr Kaye thought the police was the weakest point of our Indian administration. It had been put under the Zillah Courts by Lord Cornwallis; the judges of those courts, in their character of police magistrates, had to report every year to the Nizamut Adaulut on all details of their administration. The central court probably had but little time to give to such reports. We have it on the authority of Sir H. Strachey that crime increased greatly in the first five or six years of Lord Cornwallis' arrangement: the same rate of increase is said by Mr Mill to have continued till 1810. The servants of the chief darogah were fewer and more corrupt, probably because less checked, than the servants of the Zemindars, who had been em-

ployed when the native system was in force. Formerly the Zemindars, in the pursuit of their own interest, would strive to preserve peace on their estates: it is probable that we bought immunity from oppression of Zemindars for the people at a high price. They were not oppressed without a remedy any longer: but they bought this privilege by losing some of the efficiency of the protection that their superiors had given them against the general lawlessness of the country. Under our system there were only 15 or 20 armed men to keep the peace in a district of 400 square miles. The darogah often spent only about half an hour in the day in doing his duty. It was difficult for his superiors, already overdone with work, to spare the time to watch him, and impossible otherwise to bring home to him a neglect of duty, except by the circumstantial evidence that dacoitee robberies were scandalously common, and in more than half of them the authors entirely undiscovered. In 1808 an attempt was made to increase the efficiency of a scanty police force by making it a secret force: a system of espionage was introduced. But this made it easy for the agents employed to make a show of zeal in their work by accusing the innocent; and it is clear it must have still lessened their responsibility. About the same time proposals were made to the Zemindars to aid in the suppression of crime. But this was about the lowest period of the depression of the Zemindars of Bengal. Many of the old landholders whom Lord Cornwallis had hoped to root deep in the country as a prosperous landed gentry, had been ruined by litigation or by bidding too high for their estates: they had been succeeded in many cases by mere speculators, poor enough generally, who allowed their retainers to support themselves as best they could, which was often by open dacoitee. "It should be the study of government," Sir H. Strachey

urged, "to form, if possible, a body of gentry between the governors and the governed, to whom the one might look down and the other look up. At present no such order exists. Most who once possessed rank and wealth are gone to ruin." Here especially incalculable good might have been done by English gentlemen settled in the country. All remedies thus failing the servants of the Company contented themselves with looking for an improvement from the future spread of education; and it seemed not unreasonable to hold that, while the Indian people were what they were, the police officers, taken from among them and subjected to no peculiar training, could not be much superior. The first step to check the increase of crime must be, it was felt, to diminish that poverty, which so constantly drove men into lawless courses. It was only in 1843 that deputy police magistrates were appointed and the salary of the darogahs increased. After the Mutiny a military organization of the police under really trustworthy officers was tried; and though this plan has since been modified, it has been succeeded by a system, described as resembling that of the Irish constabulary, in which military training and military subordination are secured.

*Measures a-
gainst Thuggee
and Dacoitee.*

Thuggee and Dacoitee were, in fact, dealt with by special measures. In no way has English energy done more towards making life happy in India than in the suppression of these two evils. It is almost inconceivable to us, who live in a country where an undiscovered murder is an event that attracts every one's attention, that so lately as in 1833, 10,000 Indians are said to have met with their death at the hands of thugs. One hundred professed and consecrated murderers were constantly at work in strict concert, and killing between them eight hundred men in a month. The unfortunate traveller, who fell in with one or two peaceful looking men going the

same way with himself and ready to join company with him for mutual protection against the dangers of the road, was too often never heard of again. His body was left buried in some grove by the road-side, where there was no chance of its ever being found, and the band of murderers would go straight onwards along the road to overtake and treat in the same way the next unsuspecting or unprotected traveller they fell in with. By so doing they never passed again through the villages, which they had passed through with their victims, and, before he was missed, they were hundreds of miles away. But independently of this caution, their security was almost perfect. The ignorant ryots thought them sacred; it was a general belief that punishment always overtook the man who was instrumental in killing a thug. It was often notorious that such and such a man who lived unmolested in a village and cultivated his lands, was a thug, who went out at intervals on secret expeditions of murder. He paid hush-money to the Zemindar or Potal and to the police; he never murdered any of his immediate neighbours; and he was the safest man in the village, looked upon probably rather with respect than with disgust. Till 1829 no successful attempt was made to put it down. About 1810 a few were brought up by the energy of an English civilian before the Nizamut Adaulut and acquitted. But in 1829 Lord William Bentinck resolved to suppress it. He established a Thuggee department, and put at the head of it Captain Sleeman, a military officer, who was familiar with the native languages, and was always successful in obtaining the confidence of the natives. He found the evil very widely spread, gangs in almost every district. But, with the exception of this, he found no difficulty in dealing with it, and in ten years it was put down. His friendliness with many of the natives

*Suppression of
Thuggee by Capt.
Sleeman, 1829—
89.*

enabled him to apprehend one or two men known to be thugs: these readily turned approvers, and revealed to him all their secret ramifications. He was thus able to hunt them down in detail. For this purpose it was necessary to make some relaxation in the law: 1st, he was allowed to punish any one proved to be a thug by imprisonment for life, without bringing home to him any special charge of murder; 2ndly, to try him in any Zillah Court, not necessarily in that of the zillah in which the murder was committed. Captain Malcolm, in the Nizam's dominions, was constantly thwarted by the village authorities, and had often to fight for the destruction of a class who were a constant danger to every peaceable inhabitant of the country. Thanks to these officers and others who aided them, Thuggee may be said to be now quite extinct¹.

Dacoitee.

Dacoitee, or gang-robbery, had engaged our attention long before we thought of suppressing Thuggee. It was as open and violent, as Thuggee was secret and obscure. But the two trades resembled one another in having certain religious ceremonies connected with them, and in being the hereditary employments of certain families. In the case of Dacoitee, the regular robber casts were recruited by all the lawless and desperate characters of the country. Separate bands of dacoits would go about in the day-time, with spear-heads concealed in their clothes, and using their spear-shafts for walking sticks. At night these would assemble, and woe betide the inhabitants of the house they attacked. They did not often murder in cold blood; but they had no scruples at burning the inmates in their beds, and torture was one of their ordinary ways and means. Warren Hastings was quite ready to deal them out the sternest justice: he assented to a proposition that the

¹ On Thuggee there is a chapter in Kaye *ut supra*. Some interesting stories are given in Col. Sleeman's *Rambles of an Indian Official*, in 2 vols.

members of a gang should themselves be executed, their families sold, and their village fined. When it was found that the Zemindars favoured it, and in fact shared the booty, he carried fire and sword into *their* country too. The Zemindars were to be held responsible, and fined if the police did not discover the perpetrators of a robbery in their district. And Lord Cornwallis was equally strict: every Zemindar proved to have connived at Dacoitee was to restore the value of the stolen goods. No precautions need seem excessive, since we are told that in 1802 no less than 3600 men convicted of Dacoitee were confined in the Calcutta division alone, while in the Midnapore district ninety-three dacoit robberies were committed in that year, of which fifty-one were entirely undiscovered, and several others only partially discovered. Indeed their chance of escape was far greater than their chance of conviction: the police were all in their pay: many Zemindars had shares in their ventures; the small farmers of the revenue universally supported them; in the Purneeah district it was said that Dacoitee was necessary to the subsistence of the farmers. For this reason no one could be bought off from Dacoitee by the offer of an honest livelihood: Dacoitee was almost as safe, and far more lucrative, than agriculture. For if a dacoit *was* caught, it was necessary to convict him personally of a specific act of robbery: it was necessary to convict him in the court of the district in which the act was committed: it was necessary to induce reluctant witnesses to put themselves out of their way to give evidence perhaps at a distant law-court. Even then they had unusual facilities for procuring false evidence. They might reasonably enough rely on their two strongholds of bribery and perjury.

In 1837 Sir C. Metcalfe, then Lieutenant-Governor of the north-west provinces, appointed a Commission for the

*Suppressed by
Select Committee, 1853.*

suppression of Dacoitee, with Mr Fraser at the head, to have magisterial authority throughout all the north-west. But its operations were not on a large enough scale, and in 1838 Lord Auckland charged Sleeman, who was then finishing his successful operations against Thuggee, with the suppression of Dacoitee as well. He fixed his headquarters in Rohilcund, and started with approvers, just as he had done with Thuggee. In 1843 he was allowed again a relaxation of the law, that any member of a Dacoitee gang might be transported for life, or imprisoned with hard labour: this obviated the necessity of a conviction for a specific act; and that he might be tried in any district court, which made it unnecessary to bring witnesses from far. This succeeded well in the north-west provinces: our Resident in Oude endeavoured to suppress it there also, but the native officials there were on excellent terms with the dacoits, and gave them timely warning of their danger¹.

Sleeman's efforts had been directed entirely against hereditary gang-robbery, and this he effectually stopped. But there were always many gangs of mere ordinary blackguards who followed the example of the regular dacoits. Of these the dacoit approvers could tell nothing. They concentrated, as might have been expected, in the neighbourhood of Calcutta, where, in 1852, there were said to be thirty-five gangs. Mr Wauchope, magistrate of Hooghley, was appointed Special Commissioner for their suppression: the legal immunities Sleeman had enjoyed were

by Mr Wauchope in neighbourhood of Calcutta, 1852.

¹ The Industrial School at Jubbulpore was originally established for these thug and dacoit approvers and their families, by Major Sleeman. They are there taught the trades of blacksmiths, dyers, spinners, carpenters, tentmakers, &c., besides reading and writing. This Institution deserves mention in this Essay, as having contributed much to improve many of the manufactures of the country.

renewed to him, adapted this time to apply to men who were not members of hereditary robber cast; in six months he hunted down and broke up many of the gangs, though some unfortunately took refuge in the French settlement of Chandernagore. It is now nearly extinct, though in any time of scarcity it may be expected to raise its head again. Many of the members of gangs, it seems clear, are driven into them by poverty; and, to cut at the root of the evil, we must encourage, with all our might, all plans for the improvement of cultivation, and the decrease of distress.

The operation of the same causes has been shewn in the results of some of our efforts at civilizing rude and predatory tribes. These, lying in remote districts, and not reinforced by the offscourings of civilized places, had not reached the moral degradation of the dacoits. It would seem that from ignorance and inability to earn a livelihood from their own resources, they were driven to prey upon their more prosperous neighbours. Such a people were the Mairs of Mairwarra, a small mountainous district near Ajmir. When we annexed their territory in the year 1821, we found them a very savage tribe of professional robbers, who systematically murdered women. The officer first set over them, Captain Hall of the 16th B.N.I., began the work of training by recruiting and drilling some of them. These he found had in them the making of good and loyal soldiers, and were very useful in putting down the robbery of their neighbours. Then he established a simple judicial system to supersede the vendetta and the ordeals which had usurped the place of justice amongst them before: the new system was one of arbitration, with an appeal to the superintendent of the district, who, hampered by no old-established law of the country, could probably administer sufficiently satisfactory justice in the

*Reclaiming
savage tribes.*

1. *The Mairs of
Mairwarra.*

simple disputes of a rude and unsophisticated people. But, in 1832, after a drought, they fell into marauding again. More remained to be done to reclaim them, and it was done by Captain Dixon, of the Bengal Artillery, who succeeded Hall in 1835. He set about tanks, wells, and embankments; thus, at the same time, accustoming the people to regular work, and guarding against future agricultural calamities. He managed to make this succeed financially; the moral results were still more successful. The jungle began to be cleared, the villages to be resuscitated. One might think, in reading of Dixon's labours, he was reading of the mythical benefactors of the infant human race, of Osiris or Theseus. When he had settled agriculture in the country, he invited commerce thither too: he built a bazaar, and commenced a city at Nyanuggar, which he surrounded with walls for the protection of the foreign traders, who in time were induced to go thither. The city has grown, and flourishes in the midst of a flourishing and peaceful country. Colonel Dixon, as he had now become, lived alone among them and superintended everything; the good genius who had come from over the black water to bring them back from misery and lawlessness to order and happiness.

2. *The Bheels of Candeish.*

What Hall and Dixon did in Mairwarra, James Outram has done in Candeish, among the Bheel tribes on the Tapti. This unfortunate country was in 1802 overrun by the Mahrattas; their inroad was followed, as was only too natural, by a famine, in 1803. It was then misgoverned by the Peishwah, plundered by Pindarees and Arabs in his service, till it was ceded to us by Holkar in 1818. It was then in a state of utter disorganization, and the most lawless part of the population, the Bheel tribes of the mountains, a people who lived by hunting and on the roots they could dig up, who delighted in forays, in

burning the villages, and driving the cattle of the people of the plains, had long had the upper hand. We first tried to conciliate them, then to tame them by severity; but no good was done, till Mountstuart Elphinstone, governor of Bombay, sent Colonel Robertson, about the year 1825, to live among them, and do what could be done for them. Col. Robertson was soon joined by James Outram, of the Bombay infantry; then quite a young man. He was the very man for the work, chivalrously brave, inured to all manner of hardships, an adventurous sportsman, a frank and genial ruler. He first attacked them in their own fastnesses, took some prisoners, whom he treated kindly, and dismissed to convey his offers to the tribes. He so far prevailed with them that they came about him: he trusted them, hunted with them, and outdid all their feats against the dangers of the jungle. He is said to have killed in these expeditions 255 tigers, another point of similitude to the heroes of Grecian fable. Gradually and hesitatingly the Bheels began to trust him. He obtained five recruits, then after a time twenty-five, soon one hundred. When the military discipline had had its invariable effect, he began, in Sir Charles Napier's words, "to apply all softening and healing measures to the vanquished race;" an amnesty was granted, and lands were allotted to those who wished to settle. This settlement was carried out, after Outram's departure, by Major Ovans; restrictions were put on the vagrant habits of the Bheels, which might at any time lead to a relapse into marauding; those who settled were not allowed to leave their village without the leave of the Potal or headman. By 1829 all the gangs of Bheels were broken up, and in 1830 it was estimated that 600 of their families were settled at the plough¹.

¹ A chapter of Mr Kaye's book, so often quoted, is devoted to these efforts at reclaiming barbarous tribes.

3. *Bhaugulpore.*

Very much the same might be said of the earlier efforts of Capt. Brown and Mr Cleveland in Bhaugulpore. Mr Cleveland, when he died in 1784, at the early age of twenty-nine, had won over all the people of the country by his generosity, and formed a corps of archers for the maintenance of peace from those who had formerly been notorious disturbers of the peace. By a similar system, severer, as it was just it should be, Macpherson, in 1835, 6, put a stop

4. *The Khoonds in Orissa.*

to the human sacrifices of the Khoonds in Orissa. These efforts, at different places and different times, fill by far the brightest page of the history of British India. They open a bright prospect to England, for they shew that in an age in which we are told that the influences of an excessive civilization have reduced mankind to a dull uniformity of mediocrity, there can yet be found men amongst us, who, when placed in circumstances to call forth their heroism, shew themselves not a whit inferior in the power of ruling men to those great organizers of early European civilization, who, in an age of little refinement and great scope for individual action, laid their iron hand upon oppression and anarchy, and called back to lands long unvisited by them the humanizing influences of law and order. And to India they give reason to hope that some day the work that has been done in these outlying districts, may, by the aid of far greater organizing skill, but not greater individual heroism, be completed throughout the whole Peninsula.

CHAPTER IV.

PUBLIC WORKS.

"We have to engraft on a despotism those blessings which are the natural fruits of liberty." MACAULAY, *Speech on India Bill*, 1833.

UNDER the general heading of Public Works I mean to include an inquiry into all the measures by which our Government has directly fostered the productive powers of India. The last chapter was occupied by the system we have adopted to obtain that public peace and security of property, which are the necessary groundwork of all material prosperity. The revenue systems, which were briefly passed in review in the second chapter, as the indispensable supports of any government at all, affect, as powerfully as the judicial system, the preservation of public peace; but they have a more direct influence on the production of the country, as nothing more checks the progress of agriculture than a faulty system of land tenure. But that which most directly of all the provinces of government bears upon material prosperity is the province that is concerned with the public works.

In a highly civilized and energetic community it is a doubtful question how far public works of utility ought to be undertaken by the central government; whether roads and canals, harbours of refuge and lighthouses, are not

*Public Works
the direct means
of fostering ma-
terial prosper-
ity.*

*Necessity of cen-
tralization in
organizing pub-
lic works in a
country like In-
dia.*

better left to those classes who have a paramount interest in them. A central authority, if conducted with administrative skill, can infinitely better organize a great system of improvement in any of these points. There is little doubt that a great government office, directed by the highest engineering skill and the most perfect impartiality, could have constructed a more harmonious and better-regulated system of railways than our present network of independent and competing companies. *A priori* arguments lead us to suppose that more regard is had for financial success in private than in public enterprises. But the joint-stock system does not in all respects conform to the requirements of *a priori* reasoning. The real argument that makes the case against centralization strong is, that it puts a nation in leading-strings when it can perfectly well walk alone, and so hinders the development of the valuable qualities of self-reliance and self-help in the national character. This argument, evidently, applies with very different force to different stages of national progress : in the case of India its force is almost *nil*. In a large part of India the people we govern are singularly helpless and listless ; they are in a far lower intellectual state than the governing nation ; they require to be treated as in a national childhood, or perhaps second childhood. There is no doubt that the alternative is between the government making roads and canals, and roads and canals not being made at all. Left to themselves the peasantry of Hindustan would be perfectly contented to go on with their old system of cultivation, living in ordinary years with more or less comfort and plenty, and in years of drought resigning themselves to the starvation that inevitable destiny brings upon them. Any great efforts to improve the productive power of large tracts of country can only come from the benevolence or enlightenment of the government.

But it is another question how far Government ought to interfere with the ordinary systems of cultivation prevalent in the country. Ought it to prescribe, in its wisdom, the crops to be cultivated, and the methods of culture? Ought it to interfere, in its supreme power, with the established relations of landlord and tenant? On this question a comparison has lately been drawn, greatly to the disadvantage of our own Government, between our system and that adopted in the year 1830 by General Van den Bosch, as representative of the Dutch Government in the island of Java. Mr Money, a Calcutta barrister, visited Java soon after the Indian Mutiny, and was led, by hearing of the immense advance in wealth made by the colony in the last thirty years, to investigate the remarkable system of cultivation prevailing there. This system may be roughly described thus: the Government allots to any of the colonists, who wishes to try the experiment, a district, in which he has the exclusive right of erecting a manufactory: it advances him, without interest, the money necessary for starting, requiring it to be repaid in a certain number of yearly instalments¹. It then surveys the district, estimates the proportion of land in it that must be set apart for rice, generally the staple food of the country, and orders the lands that remain to be planted with the crop—sugar, coffee, or indigo—required by the manufacturer, who of course will have chosen his district according to its fitness for the staple of his trade. To the village-community the Government advances the sum requisite for raising a crop of the required kind, for which it asks no interest, but a repayment by instalments, as from the manufacturer. It also grants the further privilege, that the lands planted with the manufacturer's crop are assessed

How far ought Government to interfere with the production of crops?

System adopted by Gen. Van den Bosch in Java in 1830.

¹ Annual advances, I should have added, are also made, for buying the crop.

for the revenue at the value they would have, if planted, like the rest, with rice. This arrangement has turned out equally well for all parties: the peasants have added new productions to the agricultural wealth of their country, the manufacturers have set on a firm footing the export trade, and the Government has obtained from the wide extension of industry, an almost incredible increase of revenue¹.

Difficulties of introducing a similar system into India.

Much of this system is very admirable. The obvious objection, that it puts every cultivator in the country in a state of tutelage to the Government, has but little force in the present state of civilization of Java or parts of India. In other parts of India it is certainly true that the people ought to be capable of a more self-dependent system; that there are native upper classes, who ought to be able to lead the way in the path of material improvement. But, in addition to this, it is quite sufficient reason against adopting any such system in any but a very limited area, that the expense of it in our Indian dominions would be too great for the revenue and credit of the country ever to bear. If the Home Government, indeed, took upon itself the responsibility for Indian expenditure, it might be possible, by the aid of an enormous loan, to establish a system of the kind: but such a loan, it is certain, no government ought to hang round the neck of future generations, unless it had a very superabundant revenue. In Java the increase of the revenue must have largely exceeded the interest of the sums advanced: but it is a question whether it would succeed as well in our dominions. There the native land-owners, the Zemindars or Talookdars, must, in many places, be entrusted with the manufactures: could they be depended upon to make them answer, as the thrifty Dutchmen have made theirs answer? And, if they were not successful, would not the constant quarrels in which we should

¹ See Money's *Java, or How to Govern a Colony*.

be involved by our claims to receive back from the produce the instalment of our advance that became due, cause many of the evils that our present system of revenue has caused us? In many respects the indigo planter, employed by a mercantile company, is in precisely the same position as the Dutch manufacturers in Java, with the important difference, that he is not under the superintendence of a wise and benevolent government. An English agent of Government on one of its opium farms would be a still nearer parallel: for the Dutch manufacturer hands over to his Government at a fixed price the whole produce of his factory, the instalment of the advances being deducted from the price of the year's produce. It is difficult to see how in Java, any more than on indigo farms in Bengal, the European can be prevented from oppressing the natives, except by an enlightened regard for his own interest in the long run. And this will surely operate just as forcibly on the Europeans, who, it is hoped, under our new system, will spread themselves over the face of the country as landed proprietors. The chief difference will be, that we shall admit a large influx of private capital instead of government money, or private money lent to Government, into the country—a difference that seems to be wholly in our favour.

We certainly have resigned the power, which the Dutch Government has reserved, of regulating the production of different crops. We cannot prescribe, as we might at present wish, a certain extent of land to be planted with cotton; and we cannot secure that good methods of manufacture shall be provided for the cotton when grown. We have left in the hands of the cultivators of the soil the choice of crops, and trusted to the laws of supply and demand for the right regulation of the produce. We have contented ourselves with, as much as possible, extending

the field of choice by making roads to obviate the evils of isolation in rich countries, and by making canals to increase the capabilities of those less favoured by nature. In the case of cotton, we have taken more direct measures to foster its cultivation, by providing model farms, and introducing on them foreign seed and foreign modes of manufacture¹. But the two great branches of our public works in India have been our roads and our canals.

Road-making.

One of the four principles of government laid down by Timur, in his *Institutes*, is to facilitate the intercourse between different parts of his dominions. His descendants, who sat on the throne of Delhi, seemed to have carried this principle faithfully into practice. Even before the time of these princes, in the reign of Mohammed Tughlak (1450), Ibn Batuta, an Arab traveller, tells us that he found the roads carefully provided with wells and resting-houses at intervals, and planted with trees; that regular horse and foot posts existed. Shah Jehan, two hundred years later, was a great builder of roads and bridges. Mr Elphinstone² tells us, that, "from the earliest Hindu times to the decline of the Mogul empire, the great roads were objects of much attention to the Government." The great rivers, doubtless, were much used for traffic; but as the commerce of India was, in early times, conducted hardly at all by sea, there must have been some roads for the passage of the caravans which carried the precious wares of India over the deserts of Caramania and Arabia to the markets of Syria. A powerful despotism, as the Mogul empire for a long time was, can, by forced labour, build magnificent roads, and has an interest in doing so for military purposes. But with the decay of the despotism, the roads decayed too. The

¹ In the N. W. Provinces we have also lowered the assessment of lands planted with sugar or cotton.

² p. 170.

English writers who describe the state of India in the early period of our empire, say the roads are little better than paths, and the rivers are unspanned by bridges. In Malabar, Dr Buchanan tells us, the roads are so bad that carts are quite out of the question: even cattle cannot get along, and most of the goods are carried by porters. This bad state of the roads, together with the sayer or road dues, which, in those unquiet times, any Zemindar thought himself justified in exacting from the passengers who passed through his territory, must have checked communication immensely.

It was long before we did anything to remedy bad roads: in this part of the subject there is no occasion to mention Warren Hastings or Cornwallis. The great roads made or in progress all date from later times. First of these is the Great Trunk Road from Calcutta to Delhi, which is intended to run on all through the Punjab as far as Peshawur; it is a macadamized road, smooth and wide, and cost £1000 a mile. In 1852 it was finished as far as Kurnaul, 78 miles beyond Delhi—nearly 500 miles still remained to be made. Returns of the traffic that passed over a bridge in this road in the year 1846, 7, shew a total of 48,000 laden and 14,000 unladen hackeries, 10,000 laden and 4,000 unladen camels, 16,000 laden and 13,000 unladen bullocks or buffaloes (horses are only used in India for riding). The total weight of goods was returned as somewhat over a million maunds for the same year; the foot-passengers were 573,000, horses 40,000, carriages of all kinds 12,000, besides a few elephants. The security of the traveller on this road is well looked after: every two miles is a guard-house or police-station. In 1851 not one highway robbery was committed on its whole length. Along the lower part of this road the traffic is a good deal carried on by means of the Jumna and Ganges, but in the

*Bombay and
Agra Road.*

*Bombay to Au-
rungabad on
the way to Cal-
cutta.*

higher portions, where these rivers are no longer navigable, and still more in the Punjab, where at the Annexation we found the roads very bad indeed, the benefit of a good and safe road must be incalculable. Besides these we have made a road from Bombay to Agra, 734 miles long, at an expense of £330 a mile. This was begun by Lord Auckland in 1840. A third is in course of construction between Bombay and Calcutta, which seems to be finished from Bombay to Aurungabad; but there must be still between 800 and 900 miles to complete the plan, the cost of which is estimated at £500,000. Many good roads have also been made in Madras; and Bombay, besides those already mentioned, has good roads from the capital to Poonah and Thannah.

Railways.

But railways are even more important than roads. These have been started in India by private companies, under a guarantee from the Indian Government. In 1859, Lord Stanley told the House of Commons that the amount subscribed was £20,000,000, the guaranteed interest on which cost the government £1,000,000 annually. The cost of construction averaged £11,500 a mile, so that the capital subscribed would be sufficient for making nearly 2000 miles¹. At that time 4847 miles were sanctioned, but only 559 opened, 747 more were to be opened in the course of the year, 279 in 1860, while in 1861 the great addition of 2076 miles was expected. Four great arteries of railway communication are projected. 1. From Kurra-chee, the westernmost extremity of India, through Hyderabad on the Indus to Multan and Lahore. From Lahore by Delhi and the N.W. provinces to Calcutta, and on to Dacca on the Brahmaputra. 2. From Calcutta to Bombay. 3. From Madras to Bombay. 4. From Coringa to

¹ In fact, the Company estimated £19,700,000 as the cost of the line between Calcutta and Delhi.

Berar up the valley of the Godavery, a road which will open the great cotton districts to the sea. The first of these lines is the only one in actual working as yet over any portion of its course. Of it a few miles were open in 1854, 121 miles from Calcutta to Raneegunge were opened in 1855. The works then stopped till 1858, when the need of railways had just been shewn by the Mutiny. They then were extended to 142 miles, and have steadily increased till at the end of the year 1861, 360 miles were open in Bengal, and 244 in the N.W. provinces. The main line in Bengal now leaves the old Raneegunge line at Burdwan, and runs nearly due north to Rajmahal, thence it turns westwards along the valley of the Ganges to Monghyr, to which it is by this time complete: the engineer estimates that 100 miles more along the Ganges to Patna may be opened by October of this year, and that there will be no difficulty in having it in working order as far as Benares by the beginning of 1863. There will then be a break of a few miles to Allahabad, from which the north-western portion of the line starts: this is already open as far as to Shekoabad, a little place about half way between Agra and Mynpoorie, passing through Cawnpore and Etawah. From Shekoabad to Agra, a distance of about 35 miles, was to be open on March 1st: the rest of the line was delayed by the want of sleepers, which was beginning to be felt seriously from the distance of accessible forests and the difficulty of transit; but the line as far as Gazeeodeennugger, 12 miles from Delhi, would be ready for the permanent way by Midsummer: a line was also in construction from Allahabad to Benares: so that there is a good prospect of the beginning of 1863 seeing a railway completed all the way from Calcutta to Delhi. The passenger traffic has been greater, wherever a railway has been opened, than was expected by its

warmest supporters, the large proportion of third-class passengers being particularly conspicuous. The whole net receipts are said to average £11. 14s. 2d. per mile per week, that is, £608. 16s. 8d. per mile yearly, which, taking the expense of construction, &c. at £11,500 per mile, as Lord Stanley estimated it, would pay a dividend of about 5½ per cent. The receipts of the line between Calcutta and Raneegunge reached at one time more than 7 per cent., but this was when they were stimulated by the transport of soldiers, sent up country to suppress the Mutiny; and it is the opinion of those best able to judge, that the interest paid by East Indian railways will not generally exceed the 5 per cent. guaranteed by Government to the shareholders.

The work of road-making may be said to be the great source of improvement in the commercial prosperity of India: by it the great centres of home consumption, and the great markets for foreign exportation, are connected with the remoter agricultural districts, which otherwise would have no sufficient demand to call forth their productive powers. To promote production in the agricultural districts themselves there is need of a no less important system of public works, a canal system. The climate of India is totally unlike that of the temperate regions of Europe: although the total rainfall is double that of England for the year, in more than half the year rain is unknown in India. Through most of the country the rainy season lasts from June till October, and during these months the rain is so violent as to wash away roads. In Bengal, where the soil is humid and watered by many rivers, and there is no lack of forests, the great attractors of rain, the rainy season seldom fails to water the crops. But in many parts of India, in all the Doab, and in much of the Punjab, the soil is sandy, there is little or no forest, and

Canals.

a failure of the rains is always a danger to be deprecated. The chief food of Hindustan is wheat, which ripens in the winter months after the rains: if they fail, there is a famine. In these districts, "in common with most parts of southern and central Asia," says a writer in the *Calcutta Review*, "the fertility of the soil depends mainly on artificial irrigation. When the means of this are available, not only will a sandy soil yield a good crop, but the nature of the soil itself is often gradually improved. The lands near the villages often bear two crops in the year¹." Accordingly from the earliest times we find traces of works undertaken to supply the cultivated lands with moisture. Ancient wells, some large, with galleries and flights of steps, are found all over the country. In places great tanks are made by damming up a small stream at the mouth of a valley. In the old Hindu code of laws it is ordered that the breaker of a dam be punished by "long immersion in water²." Firuz Toghlak, one of the most virtuous of the early Moslem princes, is recorded to have built 50 such dams and 30 reservoirs. More ambitious works with a view to irrigation were also constructed. In the Institutes of Timur exemptions from taxation are granted to the public-spirited man who should build a canal. Firuz Toghlak, besides his tanks and reservoirs, undertook an enormous canal: it ran from the point at which the Jumna emerges from the mountains to Hansi and Hissar, two cities in the midst of the most sandy and desert country of our north-west provinces: it is said to have been at one time continued to the Sutlej. Traces of this canal are still to be seen, and are still called "Feroze Shah's Canal." It soon became choked up, being probably neglected during unquiet times, till it was restored by Akbar: an edict relating to these repairs was discovered

Hindu irrigation works.

Canals of Muslim princes.

¹ Quoted by Kaye, p. 255.

² Mill, i. p. 164.

at Khytul by Lieut. Abbott, but little else is known of the fact. Shah Jehan made the Delhi and Doab canals, of which use has been made in the canals constructed by the English. When we first took possession of the country, these had probably been all long out of use. We found the remains of them, and were not slow to take measures for replacing them. A Mr Mercer, very soon after our first conquest of the district, offered to re-open at his own expense the Delhi canal, if he were allowed to receive the proceeds of the first twenty years; but his terms were declined; and in 1810 Lord Minto appointed a committee of survey to report on the old lines of canals, east and west of the Jumna. Nothing more was done till Lord Hastings' administration, about 1815, when Lieut. Blaine was set to work at restoring the old Delhi canal. This ran from Delhi and joined the line of Feroze Shah's canal at about the middle of its course. The work at this, which was interrupted by the Nepaulese war and the consequent need of economy, went on smoothly after 1823 under Capt. Colvin, and was extended to include a restoration of Feroze Shah's canal. This is now called the West Jumna canal, is in all 425 miles long, with 700 irrigation outlets, and 214 bridges. It has made populous a deserted country about Hissar, and in the famine of 1838, supported 500 villages in comfort. The water-rent paid by those who use the canal for irrigating their lands amounted in 1851 to £26,681.

English canals.

West Jumna Canal.

Canals in the Doab;

The Doab, as the districts between the Ganges and Jumna are called, all of which needs irrigation to make it fertile, is admirably adapted for a great system of canals. The upper courses of the Indian rivers, it has been remarked¹, are commercially useless, but capable, by a little skill, of being made invaluable for agricultural purposes.

¹ By the late Col. Baird Smith, in *Calcutta Review*.

The two rivers are nowhere at a very great distance, and by means of a great arterial canal cutting the Doab diagonally, from which arms may run out in either direction, the whole country may be satisfactorily irrigated. There are few great engineering obstacles: no hills, and not many streams running at the bottom of deep gullies, and requiring long aqueducts to cross them. The Ganges canal, at length completed, is very much such an artery as I have described: its plan comprises many branches, more or less long, to water different districts. But the westernmost part of the Doab is traversed by another and older canal, called sometimes the Eastern Jumna, sometimes Zabita Khan's Canal, from a famous Rohilla chief. This runs for 155 miles, parallel to the line of the rivers where they are at their widest distance: one term is at Delhi, at the other end it again joins the Jumna, nearly due north of Delhi. The southernmost sixty miles of this run through what is called the Garden of the North-west. It was completed in 1830, and its use was shewn by the fact that in the famine of 1838, the water-rents increased to double their former amount.

The great Ganges canal was originated by Col. Colvin, who had presided over the construction of the western Jumna, in 1836. The famine that followed almost immediately shewed its necessity, and, with Lord Auckland's support, it was begun in 1840. Its course is from Hurdwar on the Ganges, just at the point at which the river rounds the south-eastern end of the Siwalik Hills, to Alyghur, which is situated as nearly as possible in the centre of the Doab, a distance of 180 miles in a general southerly direction: from thence it runs south-east to Cawnpore, where it again joins the Ganges, at a distance of 350 miles from its point of starting. From Alyghur another branch of almost equal length with the branch to Cawnpore, runs

to join the Jumna at Humeerpur: these two arms are never very far apart, and must be sufficient of themselves thoroughly to water all the southernmost part of the Doab. There is another long branch to Futtehghur, and two shorter to Bolundshuhur and Coel. In 1842 Col. Colvin was astonished by an order from Lord Ellenborough to make the canal fit for navigation: this would have immensely increased the expense, and delayed its completion indefinitely. But the succeeding Governor-General and the Directors approve of irrigation being made the chief object, and it is continued with that view. It was again interrupted by the fear of creating malaria, and again by the Sikh war; but after this it was resumed with more vigour, £1,500,000 was spent upon it, and by 1851 it was half finished. The chief engineering difficulty was very near the Hurdwar end, where it had to be taken across the valley of the Solani river by an aqueduct of 15 arches, 900 feet long and 38 feet high, with two channels each 85 feet in width. About 1851 Baird Smith, the engineer officer who more than any one else gave himself up to the work of irrigation in India, estimated that to complete it in six years there would be need of the labour of 7,000,000 masons, brickmakers and labourers. Every labourer that has been employed on the work received his wages regularly, and hire was paid for every beast. The permanence and utility of the work are both dwelt upon. Baird Smith says: "Five centuries were not sufficient to obliterate the canals of Feroze, and those, as compared with the works of the British Government, were limited in extent, temporary in construction, and feeble in their powers of resistance to the destroying hand of time." As to its use, of the 11,000,000 acres of land cultivated or culturable contained in the Doab, the canal would furnish abundant irrigation for 4,500,000 acres. The saving of crops in famine years is estimated

as likely to equal £4,000,000 on Khurif crops (sugar, indigo, cotton, rice, &c.), and £3,500,000 on Rubbi crops, (wheat, barley, &c.). In ordinary years it is expected to increase the production by the value of about £1,200,000 on all crops. Of the value of all crops watered from the canal one tenth will go to Government as water-rent, and it is hoped it may yield £350,000 a-year: but at present such prospects have not been realized; the natives are always unwilling to pay a rent for irrigation, unless they find themselves in pressing danger of famine: and it will take long before they see the profit in the long run of securing themselves by a small immediate payment against great contingent risks.

Our efforts in the same direction in the Punjab must *in the Punjab*. next be sketched. Henry Lawrence, immediately on the annexation, suggested to Lord Dalhousie the need of canals in the country. Lord Dalhousie wrote to the Directors: "I have personally visited the several districts of the Manjhir, as well as the southern portion of the Baree Doab near Mooltan, and the lower portion of the Sindh Saugur Doab and of the Trans-Indus province. Everywhere I found evidence of the wonderful effect produced by irrigation, wherever the means could be attained: everywhere I found lands of vast extent, fertile properties, now lying comparatively waste, but wanting only water to convert them into plains of the richest cultivation; and everywhere I found amongst the people the keenest anxiety to be supplied with that, by which alone they could be enabled to turn their labour to good account. The statements submitted to the Court appear to afford satisfactory proof that the revenue of the provinces will fairly warrant a large expenditure on this object." In 1850 we commenced the Baree Doab canal. This Doab presents almost equal advantages for a system of canals with the great

Doab of the Jumna and Ganges. Like that, it is a narrow tract between two great rivers, the Ravi, and the Gharah, the ancient Hyphasis, which is formed by the junction of the Sutlej and Beas. The line of the canal runs down the middle of the Doab, leaving the Ravi just at the point where it emerges from the outer Himalaya range of hills, very near the frontier of Gholab Singh's dominions, and rejoining the same river at a point about sixty miles from Mooltan. Its whole length is to be 450 miles, including branches to Lahore, to the Gharah at Sobraon, and to Kussoor. These branches all run nearly parallel to the main line, so that in the part of the Doab in which Lahore lies there are no less than four parallel channels, which must enable the whole of the lands to be thoroughly irrigated. The cost was estimated at half a million, and in 1850, when it was begun, it was thought it might be finished in five years. But greater difficulties were found to exist here, than had been met with in the north-west provinces: there was a worse supply of timber, worse roads, no hackeries, and an unwilling people.

The only other canal that, as far as I can find, has been actually projected, is what is called the Sutlej Canal, for which surveys have been made by Major Baker of the Bengal Engineers; it is intended to irrigate the country called the Hard Desert about Hissar and Bhuttiana, and northwards to the Sutlej. The cost is estimated at a quarter of a million, but the benefits would be immense. Any one who looks at the map of these provinces will see what enormous tracts of country at the north-east corner of the great desert of Rajpootana and in all the Doabs of the Punjab are at present in need of irrigation. And if we bear in mind what Lord Dalhousie wrote about the capabilities of the country, had it only a constant supply of *water*, we shall see what great cause for hope there is if

a portion of the increased expenditure on public works, promised by Mr Laing at the first moment of a financial surplus, finds its way to the arid plains of the tributaries of the Indus. It is hoped that the canals themselves, by extending the area of cultivation, especially if accompanied by the planting of woods, a thing which Lord Dalhousie encouraged in the Punjab, may permanently benefit the country by attracting the rains regularly.

Besides these, irrigation works on a large scale have been carried on on the Godavery. In Bombay irrigation is chiefly by wells and tanks, and no very great operations have been undertaken, from want of money. But if, from the present financial prosperity, we shall be enabled permanently to increase our expenditure on works for the development of the resources of India, there is nothing that is so imperatively called for as an increased industry on irrigation works.

*Irrigation
works on the Go-
davery and in
Bombay.*

Recent circumstances have called public attention to the measures we have taken for promoting the cultivation of cotton in India. It was natural that, independently of the precarious nature of the supplies coming from the Slave States of America, English statesmen should have desired that our great tropical dependency should be bound closer to us by supplying us with the raw material for our greatest national manufacture. As early as 1788 the Government distributed superior seed to the cultivators, and we have at several times granted exemptions from the land-revenue to all lands planted with cotton. It is calculated that at present about 6·5 per cent. of the cultivable soil of India grows cotton—this might be considerably increased, consistently with the security of an ample crop of the necessities of life: 1,000,000 acres, in all, could be spared for the purpose. The chief cotton districts are in Guzerat, at Dharwar in Bombay presidency, near the Portuguese settle-

Cotton cultivation.

ments at Goa, and the most valuable of all, the large province of Berar, at the northern extremity of the great table-land of the Deckan. Madras grows some, but the whole amount of its crop is said to be only 2 per cent. of the demand of England, and of this a great deal is exported to China. Bengal grows a little of inferior quality, while in the north-west provinces it is now hardly cultivated at all. Till the great cotton-fields of Berar are opened up by railways (for which, as has been shewn, plans are in existence), the export is thought not likely to exceed its present rate¹ of 170,000,000 lbs. a year, of which only 110,000,000 lbs. come to England. The native consumption is itself very great, and not likely to be superseded by the Lancashire goods imported. If the English manufacturers could reconcile themselves to the substitution of Indian cotton for American, doubtless they could secure that the production of the cotton districts of Berar should be developed to the utmost. But at present the qualities of the Indian plant make it not so well fitted as the American for the English manufacture: and the treatment of the crop, when picked, is not such as to do it justice in competition with the finest productions of the Sea Island plantations. The whole system by which the cotton is transferred from the native cultivator to the merchant who exports it, is at present thoroughly rotten. It is carried on through the hands of several native middlemen, whose exactions of a profit at each step of the progress, added to the expense of the long journey to the port, often raise the price of transport to a sum equal to the original price of the crop. And these native agents are not only extortionate, but ignorant; they exercise no supervision over the cultivator, and pay the same price for cot-

¹ Or rather the rate during the 5 years ending April 30th, 1857, (before *the Mutiny*). See Lord Stanley's speech in 1859, on Indian Finance.

ton, clean or dirty. The great thing wanted for this trade, after a railway from the cotton-lands to the coast, is an European agency at the centres of cultivation, to examine carefully the condition of the crop, when it leaves the cultivators' hands, and to be the means of teaching the natives the best methods of cultivating and preparing. For a long time attempts have been made to introduce American seed and American methods of preparing. In 1831 the Government formed experimental farms for the American seed in Guzerat and the south Mahratta country, but these did not answer, and were abolished in 1836. Several other experiments were made, without any great success, till 1845, when they were abandoned, and the native seed and native methods of cultivation are now preferred. A writer in the *Edinburgh Review* (April 1862) gives a very favourable account of Indian modes of agriculture¹: the ploughing is done very thoroughly, and by a plough excellently adapted to the soil. There can be no impossibility in obtaining well-cleaned cotton, if the ryot can get a better price for clean cotton than when the husks and dead leaves are packed with it. The short staple of the Indian cotton is the only insuperable objection, and, if this is less adapted to the machinery of English manufacturers, it is certainly just as fit as the long staple of the American for making fine and durable fabrics.

An immense service would be done to India, if it could be made the chief, or one of the chief, sources of the supply of cotton to the English markets. At present nothing is so much wanted in the country as an increase of energy in its industry. Many of the native tribes are constitu-

¹ Mr Mill, in his disbelief of any good in India, gives a very different account of Hindú agriculture, from Tennant's *Indian Recreations* and Dr Buchanan's *Journey through Mysore*. The state of agriculture is doubtless very different in different districts.

tionally listless and inert: others have not yet displayed energy, except in war or rapine. To overcome Oriental apathy, and to inspire them with what is on the whole the noble ambition of bettering themselves materially, is to start them fairly on the path that leads to civilization. And when our destiny, as a nation, has by a series of unexpected events been so wonderfully bound up with theirs, any artificial ties of common commercial interest are surely to be welcomed as an additional pledge that we shall work out faithfully in common the task that Heaven has set us to do¹.

¹ For the cotton culture of India I have consulted an Appendix of Mr Kaye's book so often quoted, and an article on the subject in *Edinburgh Review* for April 1862.

THE END.

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